

BELLEVILLE PLANNING ADVISORY COMMITTEE

AGENDA

JULY 2, 2019

5:30 P.M.

COUNCIL CHAMBER

Starting
Page No.

CITY COUNCIL PLANNING COMMITTEE MEETING

1. **ATTENDANCE**

Councillor Paul Carr
Councillor Pat Culhane
Councillor Sean Kelly

Councillor Bill Sandison
Councillor Ryan Williams

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

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

- 3.1 **NOTICE OF APPLICATION AND INTRODUCTORY PUBLIC MEETING FOR A PROPOSED CONDOMINIUM CONVERSION, 217 BRIDGE STREET EAST, CITY OF BELLEVILLE**
OWNER: PARKWOOD APARTMENTS LIMITED C/O REALSTAR MANAGEMENT
FILE NO.: 12CD-19002
AGENT: MHBC PLANNING LIMITED
-

Notice of Meeting and Map

- 3.2 NOTICE OF APPLICATION AND INTRODUCTORY PUBLIC MEETING FOR A PROPOSED CONDOMINIUM CONVERSION, 230-232 MOIRA STREET EAST, CITY OF BELLEVILLE
OWNER: MOIRA STREET APARTMENTS LIMITED C/O REALSTAR MANAGEMENT
FILE NO.: 12CD-19003
AGENT: MHBC PLANNING LIMITED

Notice of Meeting and Map

3

4. ADJOURNMENT

BELLEVILLE PLANNING ADVISORY COMMITTEE

A G E N D A

JULY 2, 2019

5:30 P.M.

COUNCIL CHAMBER

Starting
Page No.

PLANNING ADVISORY COMMITTEE MEETING

1. ATTENDANCE

Councillor Paul Carr
Councillor Pat Culhane
Councillor Sean Kelly
Councillor Bill Sandison
Councillor Ryan Williams

John Baltutis
Kathryn Brown
Paul Jennings
David Joyce

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 June 3, 2019

4. DEPUTATIONS**5. CORRESPONDENCE**

- 5.1 June 24, 2019 emails from residents of 217 Bridge Street East

5**RESOLUTION**

“THAT the June 24, 2019 emails from Bill and Helen Woolgar and Dave Crockett residents of 217 Bridge Street East supporting Application No. 12CD-19002 for Proposed Condominium Conversion be received and referred to Referrals from Public Meeting Item 6.1.”

6. REFERRALS FROM PUBLIC MEETING

- 6.1 **NOTICE OF APPLICATION AND INTRODUCTORY PUBLIC MEETING FOR A PROPOSED CONDOMINIUM CONVERSION, 217 BRIDGE STREET EAST, CITY OF BELLEVILLE**
OWNER: PARKWOOD APARTMENTS LIMITED C/O REALSTAR MANAGEMENT
FILE NO.: 12CD-19002
AGENT: MHBC PLANNING LIMITED
-

Manager of Approvals' Report No. APS-2019-22
 Correspondence Item 5.1 refers

7**RESOLUTION**

“THAT Report No. APS-2019-22 regarding Notice of Application and Introductory Public Meeting for a Proposed Condominium Conversion, 217 Bridge Street East, City of Belleville be received as information; and

THAT Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department.”

- 6.2 **NOTICE OF APPLICATION AND INTRODUCTORY PUBLIC MEETING FOR A PROPOSED CONDOMINIUM CONVERSION, 230-232 MOIRA STREET EAST, CITY OF BELLEVILLE**
OWNER: MOIRA STREET APARTMENTS LIMITED C/O REALSTAR MANAGEMENT
FILE NO.: 12CD-19003
AGENT: MHBC PLANNING LIMITED
-

Manager of Approvals' Report No. APS-2019-23

38

RESOLUTION

“THAT Report No. APS-2019-23 dated July 2, 2019 regarding Notice of Application and Introductory Public Meeting for a Proposed Condominium Conversion, 230-232 Moira Street East, City of Belleville be received as information; and

THAT Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department.”

7. REPORTS

- 7.1 **RECOMMENDATION REPORT, PROPOSED ZONING BY-LAW AMENDMENT (BY-LAW 10245), 250 SIDNEY STREET, CITY OF BELLEVILLE**
FILE NUMBER: B-77-1076
APPLICANT/OWNER: 2589989 ONTARIO INC.
AGENT: RFA PLANNING CONSULTANT INC.
-

Principal Planner's Report No. PP-2019-49

67

RESOLUTION

“THAT the Planning Advisory Committee recommends the following to City Council:

1. THAT Zoning By-law Number 10245, as amended, be amended by rezoning the subject lands described as 250 Sidney Street to add Cannabis Processing Facility as a permitted use to the Restricted Industrial (M1-11) Zone

with special provisions to recognize the existing 15 metre front yard setback.”

2. THAT a by-law to approve and authorize the execution of a Development Agreement between 2589989 Ontario Inc. and The Corporation of the City of Belleville be prepared for Council’s consideration.”

7.2 **RECOMMENDATION REPORT, REVISED APPLICATIONS FOR ZONING AMENDMENT, PLAN OF SUBDIVISION, PLAN OF COMMON ELEMENTS CONDOMINIUM, 427 FARNHAM ROAD, CITY OF BELLEVILLE
FILE NUMBER: B-77-1079 AND 12CD-19001
OWNER: HERITAGE PARK J/V
AGENT/APPLICANT: RFA PLANNING CONSULTANT INC.**

Manager of Policy Planning/Manager of Approvals’ Report No. PP-2019-46

136

RESOLUTION

“THAT the Planning Advisory Committee recommends the following to City Council:

1. THAT Zoning By-law Number 3014, as amended, be amended by rezoning the subject lands described as 427 Farnham Road from Rural Residential (RR) Zone to Low Density Residential Type 2 (R2) with special provisions to permit a 10 unit semi-detached common elements condominium development.
2. THAT approval of a Draft Plan of Subdivision, as shown on Attachment #14 to the Manager of Policy Planning and Manager of Approvals’ Report No. PP-2019-46, be finalized for those lands described in Attachment #13 (File:12CD-19001), subject to the draft plan conditions outlined in Attachment #15 of same.
3. THAT approval of a Draft Plan of Common Elements Condominium, as shown on Attachment #16 to the Manager of Policy Planning and Manager of Approvals’ Report No. PP-2019-46, be finalized for the lands described in Attachment #13 (File: 12CD-19001), subject to the draft plan conditions outlined in Attachment #17 of same.”

7.3 **RECOMMENDATION REPORT FOR PROPOSED ZONING
BY-LAW AMENDMENT (BY-LAW 3014), 1437 & 1455
MUDCAT ROAD, CITY OF BELLEVILLE
FILE NUMBER: B-77-1085
APPLICANT: CLINT HAMILTON
OWNER: ROBERT ROLLINS**

Principal Planner's Report No. PP-2019-47

318

RESOLUTION

“THAT the Planning Advisory Committee recommends the following to City Council:

THAT Zoning By-law Number 3014, as amended, be amended by rezoning the severed parcel, described as 1455 Mudcat Road, from Prime Agriculture (PA) Zone and Rural (RU) Zone to Prime Agriculture (PA-56) Zone with special provisions to prohibit future severances; and the retained parcel, described as 1437 Mudcat Road, from Prime Agricultural (PA) Zone to Rural Residential (RR) Zone as a condition of consent for application B8/19.”

8. INFORMATION MATTERS

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

Report to July 2, 2019

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9. GENERAL BUSINESS AND INQUIRIES

10. ADJOURNMENT



City of Belleville

Engineering & Development Services Department Approvals Section

Tel: 613-967-3224
Fax: 613-967-3262

File No.: 12CD-19002

NOTICE OF COMPLETE APPLICATION
and PUBLIC MEETING
CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
TUESDAY, JULY 2, 2019
AT 5:30 P.M.

Please be advised that the City of Belleville has received a complete application for approval of a Draft Plan of Condominium for a property municipally known as **217 Bridge Street East** in the City of Belleville. The subject property is located on the south side of Bridge Street East between Chatham and Bleecker Streets, as shown on the Key Plan included on the Draft Plan of Condominium with this notification.

Currently located on this property, as shown on the attached plan, is a 7-storey 68-unit apartment building. The 68 apartment units are currently rented out by one owner. The proposed Draft Plan of Condominium would see the existing 68 units converted to condominium ownership. No new development or construction on this site is planned. Thus, in essence the physical use of the property will not change but the type of tenure could.

It is noted that Section 51 of the Residential Tenancies Act, 2006 provides security of tenure for existing tenants and also provides for the first right of refusal on the purchase of an existing unit for the existing tenant.

A Public Meeting has been scheduled, as noted above, to seek input and consider this application for the Draft Plan of Condominium and to allow the conversion of the existing rental units.

Additional information: Further information on this application is available by contacting the Approvals Section, Engineering & Development Services Department in person at Belleville City Hall, 2nd floor, 169 Front Street, Belleville or by email at: planning@belleville.ca or by telephone at 613-967-3224. Normal business hours are Monday through Friday from 8:30 a.m. to 4:30 p.m.

If you wish to be notified of the decision of the City of Belleville or the Belleville Planning Advisory Committee in respect of this proposed plan of subdivision or condominium, 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, Email: mtmacdonald@belleville.ca).

This site is not subject to any other planning applications.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Belleville in respect of the proposed plan of condominium before the City of Belleville, as approval authority, gives or refuses to give approval to the draft plan of condominium, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Matt MacDonald, Secretary
Planning Advisory Committee

DATED at the City of Belleville this 12th day of June, 2019



City of Belleville

Engineering & Development Services Department
Approvals Section

Tel: 613-967-3224
Fax: 613-967-3262

File No.: 12CD-19003

NOTICE OF COMPLETE APPLICATION
and PUBLIC MEETING
CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
TUESDAY, JULY 2, 2019
AT 5:30 P.M.

Please be advised that the City of Belleville has received a complete application for approval of a Draft Plan of Condominium for a property municipally known as 230-232 Moira Street East in the City of Belleville. The subject property is located on the west side of Moira Street East, north of College Street, as shown on the Key Plan included on the Draft Plan of Condominium with this notification.

Currently located on this property, as shown on the attached plan, are two (2) 3-storey 12-unit apartment buildings. The 24 apartment units are currently rented out by one owner. The proposed Draft Plan of Condominium would see the existing 24 units converted to condominium ownership. No new development or construction on this site is planned. Thus, in essence the physical use of the property will not change but the type of tenure could.

It is noted that Section 51 of the Residential Tenancies Act, 2006 provides security of tenure for existing tenants and also provides for the first right of refusal on the purchase of an existing unit for the existing tenant.

A Public Meeting has been scheduled, as noted above, to seek input and consider this application for the Draft Plan of Condominium and to allow the conversion of the existing rental units.

Additional information: Further information on this application is available by contacting the Approvals Section, Engineering & Development Services Department in person at Belleville City Hall, 2nd floor, 169 Front Street, Belleville or by email at: planning@belleville.ca or by telephone at 613-967-3224. Normal business hours are Monday through Friday from 8:30 a.m. to 4:30 p.m.

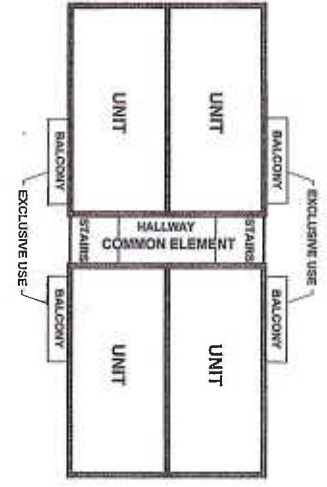
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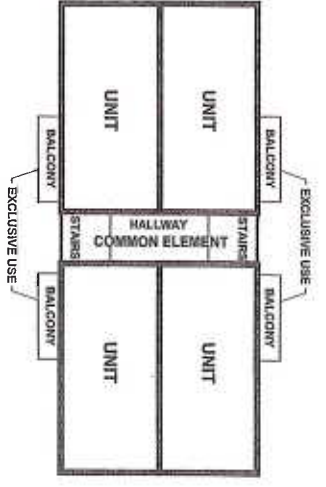
If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Belleville in respect of the proposed plan of condominium before the City of Belleville, as approval authority, gives or refuses to give approval to the draft plan of condominium, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Matt MacDonald, Secretary
Planning Advisory Committee

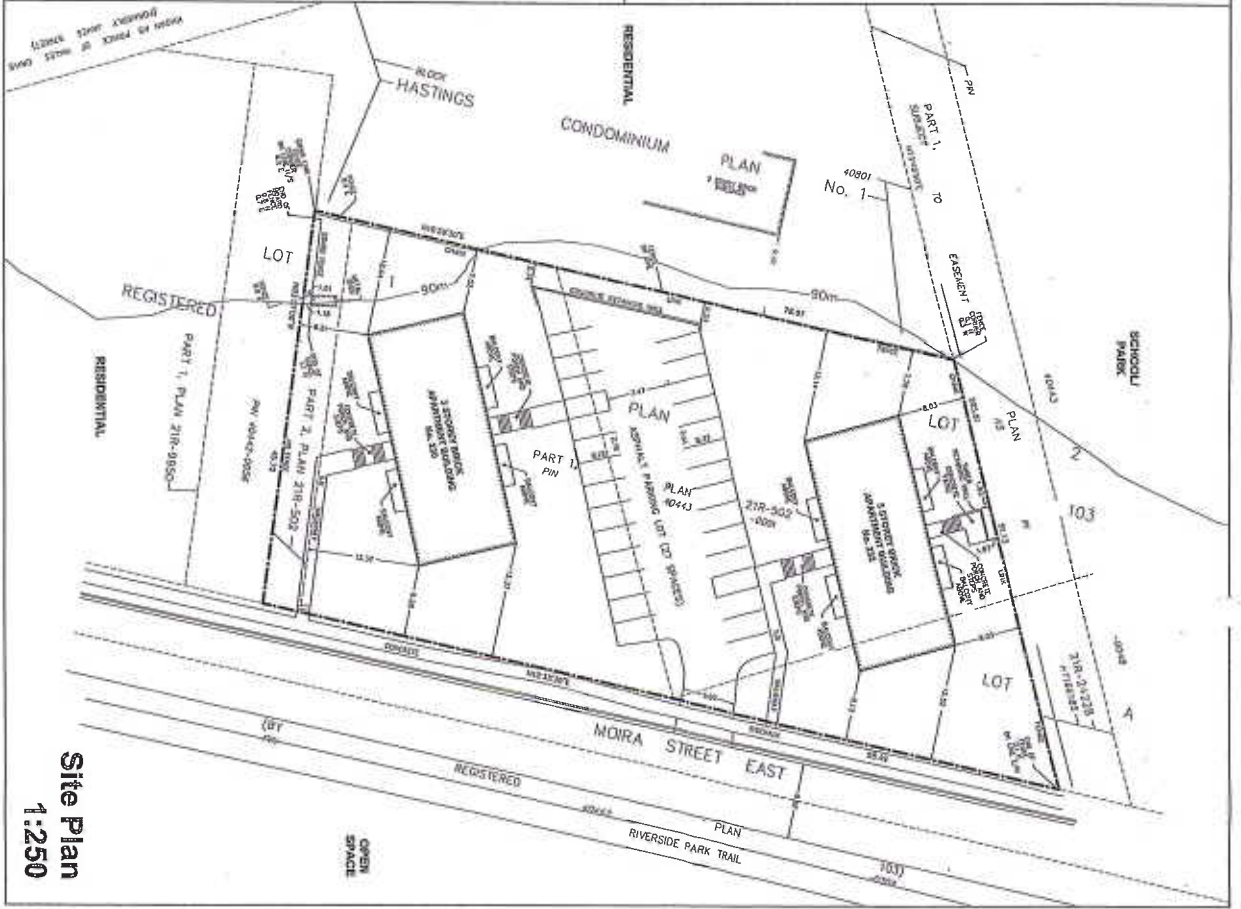
DATED at the City of Belleville this 12th day of June, 2019



GROUND FLOOR PLAN
(not to scale)



TYPICAL FLOOR PLAN
(not to scale)



Site Plan
1:250

Legal Description

230 Moira Street East, Unit 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



Map of the City of Toronto showing the location of the subject site. The site is located at the intersection of Moira Street East and Riverside Park Trail. The map shows the surrounding area, including other streets and buildings.



PLANNING & LANDSCAPE ARCHITECTURE
MHBC
 230 Moira Street East
 Toronto, Ontario M5S 1A8
 Tel: (416) 593-8888
 Fax: (416) 593-8889
 Email: info@mhbc.ca
 Website: www.mhbc.ca

Project Name	230 Moira Street East
Project Number	18-000-0000
Project Address	230 Moira Street East, Toronto, Ontario M5S 1A8
Project Contact	John Doe, Project Manager
Project Date	April 12, 2018
Project Status	Approved
Project Description	DRAFT PLAN OF CONDOMINIUM

230 Moira Street East
 DRAFT PLAN OF CONDOMINIUM

Subject: FW: Application for Condominium Conversion for 217 Bridge Street East

From: William Woolgar [REDACTED]
Sent: June 24, 2019 2:54 PM
To: The Parkwood <theparkwood@realstar.ca>
Subject: Application for Condominium Conversion for 217 Bridge Street East

Initially we had many concerns when we were advised that the owner was putting forth an application to convert this building to a condominium. This was mostly due to not knowing anything about a condominium conversation or if it would in fact change our day to day lives. We are also seniors who sold our home to move into what we thought would be our "forever" home, unburdened by the responsibility of home ownership. The thought of having to move because we could not afford to purchase our unit, caused us a great deal of anxiety.

Real Star arranged for their management team to attend at our building to explain the reason for the application as well as the outcome for the building and the residents should this application be approved. This meeting was open to all tenants and provided time for a question and answer period. The room was full to capacity indicating how important this issue was to the residents. At the end of the meeting all questions/concerns were answered in great detail and we had a clear understanding of what to expect.

Having said all of the above, we can now say that since that meeting we no longer feel anxious or uninformed regarding this application and give it our full support. We love living here and now know that no matter what the outcome of this application the decision to leave or stay here will be ours.

Bill and Helen Woolgar
217 Bridge Street East

[REDACTED]

Subject: FW: Realstar - Application for Condominium Conversion

> -----Original Message-----

> From: Dave Crockett [REDACTED]

> Sent: June 24, 2019 9:37 AM

> To: The Parkwood <theparkwood@realstar.ca>

> Subject: Realstar - Application for Condominium Conversion

>

> I understand that Bellville Council will hear a renewed application from Realstar for the conversion of 217 Bridge Street East from Apartment to Condominium status.

>

> I recall previous meetings with Realstar representatives, wherein clarification and undertakings were made in support of this endeavour. I am also aware that representation was made by an individual purporting to express the views and input of the residents of The Parkwood. No one had my permission to convey that message.

>

> I am a resident of this complex.

>

> I support the Realstar initiative and appreciate the benefits that will accrue both to the Corporation and to me as a resident.

>

> I want to make it clear that no other individual represents me, speaks for me or has the right to express an opinion on my behalf on this matter. I take umbrage at the inference that anyone is authorized to do so.

>

> Lastly, it is important to note, as I speak for myself, I do so without inducement or request from others.

>

> Realstar and more specifically the management team at The Parkwood have provided me with a lovely home over the past 5 years. My hope is that this mutually beneficial relationship will continue for many more.

>

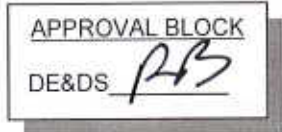
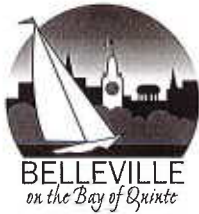
>

> Sincerely

>

> [REDACTED] Crockett

> [REDACTED]



CITY OF BELLEVILLE

Greg Pinchin
Manager of Approvals
Engineering & Development Services Department
Report No. APS-2019-22
July 2, 2019

To: Belleville Planning Advisory Committee

Subject: Notice of Application and Introductory Public Meeting for a Proposed Condominium Conversion
217 Bridge Street East, City of Belleville
OWNER: Parkwood Apartments Limited c/o Realstar Management
Agent: MHBC Planning Limited

File: 12CD-19002

Recommendation:

“That Report No. PP-2019-22 dated July 2, 2019 regarding Notice of Application and Introductory Public Meeting for a Proposed Condominium Conversion, 217 Bridge Street East, City of Belleville be received as information; AND

That Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department.”

Background:

The initial public meeting is held in accordance with the requirements of the *Planning Act*. The purpose of this meeting is for Committee Members to formally hear and receive public comments. The intent of this statutory public planning meeting is to receive public feedback and incorporate it into a recommendation report from staff.

As shown in **Attachment #1**, currently situated at 217 Bridge Street East is a 7-storey 68-unit apartment building. This apartment building was constructed in 1971/72. The 68 apartment units are currently rented out by one owner.

The Owner proposes to convert the apartment building to condominium ownership.

The *Condominium Act* allows an owner of an existing development to apply to Council for exemption from the formal Condominium Review process that would be undertaken in a new development situation. The Owner applied for such an exemption from Council last fall, and the application was denied. Thus, the Owner is now making formal application to the City for approval of a Draft Plan of Condominium for the property.

In overview, this application is not about changing the use of the building or the property but rather about changing the type of tenure. The building and property will still be used for apartment type dwelling units, the question being are these units rented, or could they at some point be owned by the occupants.

In support of the application, the following was submitted:

- Draft Plan of Condominium – 217 Bridge Street East by MHBC Planning Ltd, dated March 13, 2019 (**Attachment #2**)
- Planning Justification Report – Application for Condominium Conversion, 217 Bridge Street East by MHBC Planning Ltd, dated April 2019 (**Attachment #3**)

These documents have been available for public review at the Approvals Section of the Engineering & Development Services Department.

Provincial Policy Statement:

Municipalities are required to ensure all decisions related to land use planning matters shall be consistent with the Provincial Policy Statement.

Planning Staff will consider the following policies in the PPS:

- 1.1.1 Healthy, liveable and safe communities are sustained by:
 - a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
 - b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons) [...] to meet long-term needs;
 - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; and
 - e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

- 1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:
 - a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households;
 - b) permitting and facilitating:
 1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and
 2. all forms of residential intensification

Official Plan:

Planning Staff will use the policies within the Official Plan to make a recommendation. The land is designated "Residential" in the City's Official Plan. The City's policies with regard to the conversion of existing rental dwellings to condominium or freehold tenure are set out in the Official Plan.

Section 3.10.2 i) of the Plan states that:

- i) This Plan supports the development of all forms of housing in all forms of tenure, being freehold, rental, cooperative, and condominium.

Conversion of existing rental dwellings to condominium or freehold is supported by this Plan, provided that prior to granting approval, Council considers:

- the appropriateness of the building for such conversion;
- site amenities and services;
- existing vacancy rates in the community;
- timing of the conversion; and
- arrangements made for addressing the needs of or the impact upon existing residents of the building.

Zoning By-law:

The subject lands are currently zoned R7 – Residential Seventh Density, which permits one or more apartment dwellings. The existing building was constructed before the adoption of the current zoning by-law. There are no changes proposed to the zoning.

Public Circulation:

Notice of the subject application was mailed to all registered owners of land within 120 metres (400 feet) of the subject property on June 12, 2019. Notice was also provided by advertisement in The Intelligencer newspaper on June 12, 2019, in accordance with the notice provisions set out in the *Planning Act*.

To date, one resident has contacted City Staff to obtain additional information that was submitted with the application.

Agency & Departmental Circulation:**1) Internal Departments**

The subject application was circulated for comment to the Development Engineer, the Director of Fire and Emergency Services, the Director of Recreation, Culture and Community Services, the Manager of Policy Planning, the Chief of Police, the Manager of Parks & Open Spaces, the Manager of Transportation & Operations, and the Manager of Environmental Services on May 13, 2019.

None of the internal departments contacted have indicated any concerns with this proposal.

2) External Agencies

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, Cogeco, Union Gas (Enbridge), Veridian Connections (Elexicon), and Hydro One Networks on May 13, 2019.

To date, Bell Canada and Union Gas (Enbridge) have advised that they will require easements for their existing services to be included as a condition of approval. No concerns have been received from external agencies regarding this application.

Considerations:

- **Public**

Public notice and circulation complies with the requirements of the *Planning Act, R.S.O. 1990*.

- **Financial**

The fees payable for processing the application have been received by the City. Any planning, engineering, surveying and legal costs to facilitate the condominium conversion of the subject lands would be at the Owner's expense.

- **Impact on and input from other Departments/Sources**

Circulation of this application to other departments/agencies has occurred.

- **Strategic Plan Alignment**

The City of Belleville's Strategic Plan identifies nine strategic themes including Residential Development. A key strategic objective of the Residential Development theme is to:

- Provide for a variety of housing forms to reflect our changing demographics and need for affordability.

Conclusion:

Comments received at this public meeting, as well as subsequent written comments will be considered by the Engineering and Development Services Department in analysis of this application for approval of a Draft Plan of Condominium to convert the existing apartment building to condominium ownership. A recommendation report will be brought forward upon receipt of all agency and public comments.

Respectfully submitted.



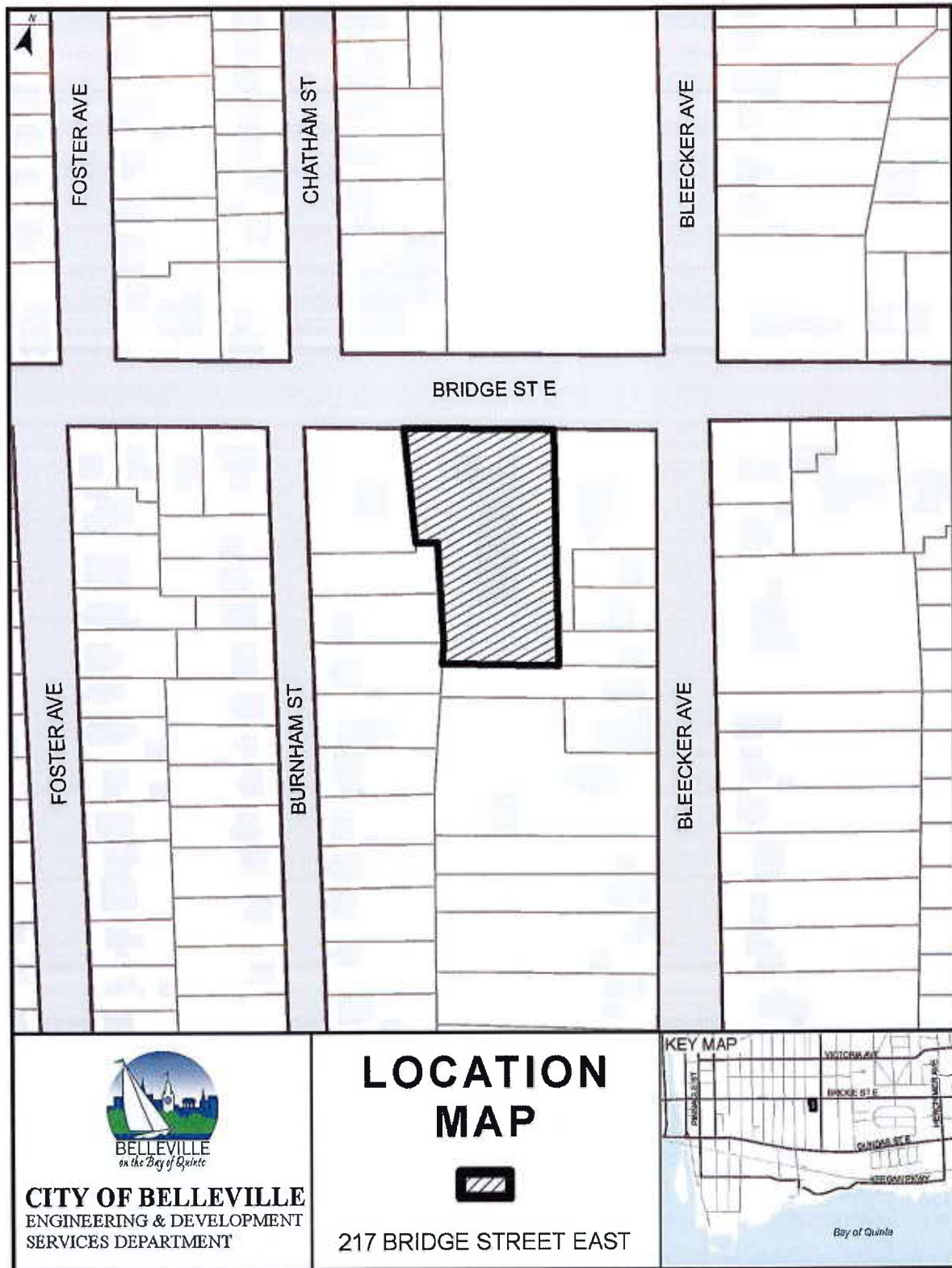
Greg Pinchin

Attachments

- Attachment #1 – Location Map
- Attachment #2 – Draft Plan of Condominium – 217 Bridge Street East by MHBC Planning Ltd, dated March 13, 2019
- Attachment #3 – Planning Justification Report – Application for Condominium Conversion, 217 Bridge Street East by MHBC Planning Ltd, dated April 2019

ATTACHMENT #1

Location of Subject Property





KITCHENER
WOODBRIDGE
LENOX
KINGSWICK
BARRIE
BURLINGTON

PLANNING JUSTIFICATION REPORT

Application for Condominium Conversion

217 Bridge Street East
City of Belleville

Date:

April 2019

Prepared for:

Realstar Management Partnership

Prepared by:

MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC)

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Our File 10139Z

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FIGURES

- Figure 1 – Local Context Map
- Figure 2 – Draft Plan of Condominium
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1.0 INTRODUCTION

MacNaughton Hermsen Britton Clarkson Planning Limited (hereinafter "MHBC") has been retained by Realstar Management Partnership ("Realstar") in the submission of the required application to facilitate the conversion of the residential apartment building, presently existing on the property known as 217 Bridge Street East, Belleville (hereinafter referred to as the "subject property"), from rental to condominium tenure.

The subject property is situated south of Bridge Street East between Burnham Street and Bleecker Avenue and consists of one apartment building providing a total of 68 residential rental units. The purpose of this application is to convert the existing apartment building to a plan of condominium. It is noted that these applications for condominium conversion are considered to be technical as it is the intention of Realstar to maintain all units as rental. A request for exemption from condominium review was originally submitted to the City of Belleville for the subject property in October 2018. City Staff, after having reviewed the request against existing, relevant policies and legislation, provided Council with a recommendation to approve the requests for exemption from condominium review. Council decided against Staff's recommendation and denied the request for exemption. This report has been prepared to provide Council with a fulsome justification in support of the condominium conversion that considers a number of factors including local and provincial policies; affordability; and tenant protection.

Realstar is a privately owned real-estate investment and management company focused largely on rental residential. Realstar manages approximately 25,000 rental suites across Canada, including four buildings in the City of Belleville. The subject lands are professionally maintained and managed by Realstar.

Given the ownership and management structure of the subject property, the existing building is intended to be maintained as rental. Realstar has completed approximately thirteen condominium conversion projects over the past 15 years. During this time, no units in any of the converted buildings have been sold and no tenant has been displaced by the conversions. Section 51 of the Residential Tenancies Act (RTA), 2006 provides security of tenure for existing tenants and for the first right of refusal on the purchase of an existing apartment unit for the existing tenant. Consequently, if approval is given to convert an existing apartment unit on the subject property into a condominium unit, a tenant residing in that apartment unit cannot be displaced unless they decide to move out. Similarly, if the tenant wishes to change from renting his/her apartment to purchasing it, they have the right to purchase their own unit prior to the unit being sold to a third party. Therefore, the proposed conversion of the existing dwellings to a condominium will have no impact on the existing tenants in terms of remaining where they currently live and in fact may result in a reduction in their rent.

The reasons for this condominium conversion is for administrative and management purposes. Given the technical nature of the proposed condominium conversion application, it is concluded

that there will be no significant impact on rental housing in the City of Belleville or the security of tenure for existing tenants in the buildings.

The purpose of this report is to provide the following:

- A description of the subject property and surrounding neighbourhood;
- A detailed description of the proposed plan of condominium;
- An overview of applicable Provincial and Municipal planning controls;
- Justification as to how the applications conform to these planning controls; and,
- An analysis of the City of Belleville's existing vacancy rate and affordability and how it is related to the proposed conversion.

This Planning Report will detail how this application complies with the policies of both Provincial Plans and the City of Belleville's Official Plan. Information obtained from Altus Group Economic Consulting ("Altus") assisted in the preparation of this report.

2.0 DESCRIPTION OF SUBJECT LANDS

The following section provides a detailed description of the subject property including its local context and existing conditions.

2.1 Subject Lands & Existing Conditions

The subject property, known municipally as 217 Bridge Street East was constructed in 1972 and is situated on the south side of Bridge Street East, approximately 40 metres west of Bleecker Avenue and 40 metres east of Burnham Street. The site is presently occupied by one mid-rise residential apartment building that consists of 68 rental apartment units ranging from one to three bedrooms. No development, site alteration or change to the existing number of units currently in existence is proposed as part of these applications. The existing development is described as follows:

Parkwood (217 Bridge Street East)

- Area of 0.41 ha
- Seven-storey apartment building with a total of 68 dwelling units, comprised of:
 - 13 one-bedroom
 - 36 two-bedroom
 - 19 three-bedroom
- Approximately 70 parking spaces, consisting of:
 - 18 surface parking spaces
 - 52 underground parking spaces

Access to the site is provided from Bridge Street East (northern lot line). This access is used for ingress and egress from the surface parking area and the underground garage, located on the west side of the subject building.

The subject building covers approximately 26 percent of the total site area. The subject building has a building footprint of approximately 1,068 square metres (11,496 square feet) and a total building area of approximately 7,478 square metres (80,493 square feet).

2.2 Local Context

The subject property is located to the east of the Moira River and is situated approximately one kilometer east of the City Centre.

The site is located within an area primarily comprised of low density residential with some commercial uses found to the north, east and south of the site (medical buildings including a surgical centre to the immediate north and individual practices/Life Labs Medical Laboratory Services further south). Directly north of the subject property and bordering the northwest corner of the Bridge Street East and Bleecker Avenue intersection is Robin Jeffrey Park. Surrounding the subject property to the east, west and south are single family residential homes. Figure 1 below illustrates the site's surrounding uses.



3.0 DESCRIPTION OF PROPOSAL

The purpose of this section is to provide a general description of plans of condominium and condominium conversions as well as the impact of the application on the subject property.

3.1 Condominium Conversion Description

A condominium can be a high-rise or low-rise apartment, townhouse, freehold or detached house, office complex or commercial mall. What sets a condominium apart is the way in which owners share the ownership of common elements (e.g. parking areas, roads and sidewalks, corridors, lobbies, elevators, heat and electrical systems) while having individual ownership of units. The condominium corporation must pay for the upkeep and maintenance of common elements.

Condominium conversion is the process of entitling a rental property held under one title to convert from sole ownership of the entire property into individually owned units which can be sold as condominiums.

In this case, the Owner's intend to maintain ownership of the subject property and plan to continue to operate the building as rental. No change to the operation and management of the apartment building will occur as a result of the proposed conversion. Tenants will not be displaced or disadvantaged by the proposed conversion.

The conversion is being requested for administrative and management purposes. Some benefits to a condominium conversion include the following:

- Condominium conversions often result in realty tax savings. The savings may result in the freeing up of additional funds which would allow for capital investments to the subject building.
- It is anticipated that the conversions will increase the property's market value. The increase in value provides an opportunity to leverage additional funds through traditional financial institutions.
- When realty taxes are reduced by more than 2.49% the Residential Tenancies Act ("RTA") entitles residents to receive a rent reduction. The reduction is equal to the Owner's per suite property tax reduction, but an accurate amount is unknown at this time. However, based on preliminary estimates, it is anticipated that the tenants of 217 Bridge Street East would receive a rent reduction of between \$100.00 and \$125.00 a month. The reduction in rent can also improve the financial performance of the building by reducing turnover and improving other operational metrics.

For these reasons, the proposed condominium conversion is considered to be technical. The subject property will continue to operate as a rental residential complex and no existing tenants will be impacted, apart from potential rent reductions.

In addition, tenant security continues to be governed by the RTA following the proposed conversion. The RTA declares the right of residency in the building for each tenant. Hence, the current Owner or any subsequent Owner cannot terminate their residency to sell a unit. If the Owner ever decided to sell an apartment unit, the existing tenant would have first right to buy the unit. If the tenant declined the purchase of the unit they would continue to have a lifetime right to remain as a tenant in the apartment unit.

3.2 Draft Plan of Condominium

The Plan of Condominium application proposes the conversion of the existing rental apartment units to condominium tenure. No construction or demolition is proposed as part of these applications. There will be no modifications completed to the subject property as it presently exists. Notwithstanding the proposed condominium conversion, it is the intention of the Owner to maintain the existing apartment units as rental.

The proposed plan of condominium is to be a standard condominium consisting of both units and common elements. All parking spaces are to be unitized with the exception of the barrier-free parking spaces which are to be part of the common elements.

The common elements will include all landscaped open space, internal laneways and walkways, barrier free parking spaces and any elements internal to the building that are not within the units. Given that no construction or demolition is proposed, completion of a Draft Plan of Condominium will be required as a condition of approval. A preliminary Draft Plan of Condominium is included on the following page.

4.0 POLICY FRAMEWORK

This section demonstrates that the proposed Draft Plan of Condominium is consistent with and conforms to the applicable Provincial and Municipal planning policy regulatory framework.

4.1 Planning Act, R.S.O. 1990, c. P.13

Section 51(24) of the Planning Act relates to the approval of plans of subdivision and plans of condominium. The application has been reviewed with regard to Section 51(24) and it is concluded that the application satisfies each of the subdivision criteria. Specifically:

- a) *the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

Provincial interests have been addressed and discussed in the review of the Provincial Policy Statement (PPS).

- b) *whether the proposed subdivision is premature or in the public interest;*

The proposed conversion is not premature. The application meets the criteria that considers conversion set forth by the City of Belleville Official Plan as further addressed and discussed in Section 4.3.2 of this report.

The proposed development is in the public interest for the following reasons:

- i. The proposed units, if sold, will create affordable home ownership opportunities.
- ii. The "pass-through" of realty tax savings to existing tenants will result in additional affordable rental units and lower rental costs for all residents. Residents were informed of the potential rent reduction in correspondence dated September 10, 2018.
- iii. All forms of housing are required to meet the social, health and well-being requirements of current and future residents;
- iv. Tenant security for existing tenants will be provided and is enforced through the Residential Tenancies Act.
- v. The applicant is investing in the long-term maintenance of the property which represents a substantial investment in the property.

- c) *whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*

The proposed condominium conversion conforms to the City of Belleville Official Plan and does not have an impact on adjacent plans of subdivision. This is further addressed below in Section 4.3 of this report.

d) the suitability of the land for the purposes for which it is to be subdivided;

The subject lands are presently being used for residential purposes. No change in use is proposed.

d1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

The proposed conversion of the units to condominium tenure may result in additional affordable rental opportunities as a result of pass-through tax savings. In the event that the units were sold, all of the units would be considered to be affordable as they would have a selling price below the affordable ownership threshold of \$301,933.00 in the Belleville CMA.

f) The dimensions and shapes of the proposed lots;

The dimension and shape of the proposed lot is not relevant as no new development is proposed on the subject lands.

g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

The conditions of approval will sufficiently address any agency requirements.

h) Conservation of natural resources and flood control;

The conservation of natural resources and flood control is not relevant as no development is proposed.

i) The adequacy of utilities and municipal services;

The adequacy of utilities and services is not relevant to these applications as no new dwelling units will be created.

m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection

Site Plan Approval was previously issued for the existing development on the subject property. No new development is planned and no changes to the approved site plan are required to permit the requested conversion.

The Planning Act allows for the approval authority to impose appropriate conditions of approval. As such, the City of Belleville may impose conditions of approval to be satisfied prior to final condominium plan registration. Based on review of Section 51(24) of the Planning Act, the proposed conversion complies with all relevant conditions.

4.2 Provincial Policy Statement (2014)

Effective April 30, 2014, the Province of Ontario issued, in accordance with Section 3 of the *Planning Act*, a new Provincial Policy Statement (PPS). The PPS provides policy direction on matters of Provincial interest related to land use planning and development. It is to be considered in all planning decisions. One of the key considerations of the PPS is that planning decisions must be "consistent with" the PPS.

The PPS provides a vision for land use planning in Ontario that encourages an efficient use of land, resources and public investment in infrastructure. A range and mix of land uses is encouraged to provide choice and diversity. A variety of transportation modes are promoted to facilitate pedestrian movement and less reliance on the automobile, and public transit is encouraged as a means of creating more sustainable, livable and healthy communities. The PPS strongly encourages development that will provide long term prosperity, environmental health and social well-being.

Policy 1.1.1 of the PPS states that healthy, liveable and safe communities are sustained by promoting efficient land use and development patterns; accommodating an appropriate range and mix of land uses to meet long-term needs; avoiding development and land use patterns which may cause environmental or public health and safety concerns; and promoting cost-effective development patterns and standards to minimize land consumption and servicing costs, among others. The 2014 PPS specifically requires the provision of a "range and mix" of residential development.

Section 1.4.3 of the PPS requires that planning authorities provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents by establishing and implementing minimum targets for the provision of affordable housing; permitting and facilitating all forms of housing to meet the social, health and well-being requirements of current and future residents; and permitting and facilitating all forms of intensification.

Based on the 2018 CMHC Rental Market Report released on November 28, 2018, the number of existing rental units (mix of bachelor, one-bedroom, two-bedroom, and three-bedroom and larger) in the Belleville Census Metropolitan Area is 5,717 units. This does not include units in publicly owned rental apartment buildings, private rental townhouse units, condominium units that are rented out, secondary suites, or other types of rental accommodation that may exist. According to

the 2016 National Household Survey, there were 43,005 private households in the City of Belleville, of which 13,235 of those households rented their housing unit. Based on the data from the Survey, it is clear that the CMHC Rental Market Report takes into consideration only a portion of the entire rental housing stock within the City.

The proposed conversion will not alter the current mix of housing types in the City of Belleville; only tenure is affected. As a result, the current range of housing and supply of housing will be unaffected. Generally, in condominium conversion applications, security of tenure is provided for existing tenants through the Residential Tenancies Act. In this case, the Owner intends to maintain all existing units as rental following the proposed conversion. The proposed conversion is being requested for administrative, legal and financial reasons as detailed in Section 1.0 and 2.0 of this report. As a result, no residential units will be lost through the proposed conversions.

Additionally, based on information published by the City of Belleville's Building Department, building permits for 185 apartment units and 81 condominium units have been issued between January 1, 2016 and October 31, 2018. All of these new units are currently being constructed and have not yet been added to the rental housing supply. Furthermore, the City of Belleville has through the site plan process, approved or will shortly approve another 332 apartment units. These units will be eligible for building permits this year.

The proposed application for Draft Plan of Condominium is consistent with the PPS as the subject property presently consists of medium density residential development and is on full-municipal services. The change in ownership of these apartment units will not impact the range and mix of housing within the Town as no new development is planned and no loss of units will occur as a result of the proposed conversion. Further, there are no policies in the PPS related to tenancy of housing.

In summary, the proposed condominium conversion is consistent with the policies of the Provincial Policy Statement, 2014.

4.3 City of Belleville Official Plan

The City of Belleville Official Plan was adopted by City Council on June 18th, 2001 and approved by the Ministry of Municipal Affairs and Housing on January 7th, 2002 pursuant to Section 17 (34) of the Planning Act. The intent of this Plan is to provide for the orderly development of the City within the framework of the Vision Statement. It directs development in such a manner so that adjacent land uses are complementary to each other.

4.3.1 Residential Land Use Designation

The subject property is designated "Residential Land Use" by the City of Belleville's Official Plan, Schedule B as shown in Figure 3.

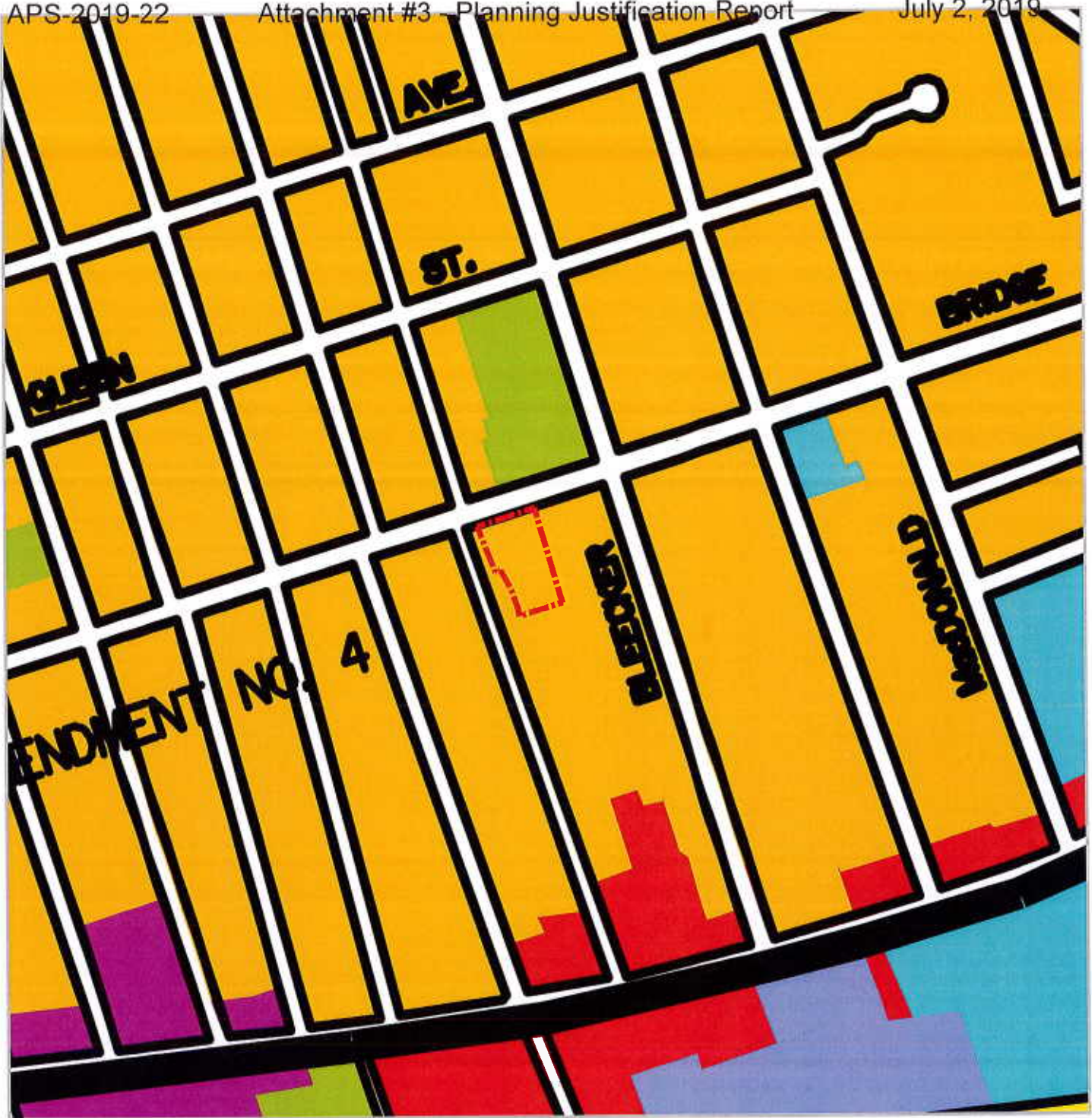







Figure: 3
**City of Belleville
 Official Plan
 Schedule 'B'- Land
 Use Plan- Urban
 Serviced Area**

- LEGEND**
-  Subject Lands
 -  COMMERCIAL LAND USE
 -  RESIDENTIAL LAND USE
 -  OPEN SPACE
 -  COMMUNITY FACILITY

DATE: December 10, 2018

SCALE: NTS

FILE: 10139Z

DRAWN: GC



REVISED: 217 BRIDGE ST/EAST OF SCHOOL/SPRING/2014/REVISED 2018

217 Bridge St East
 Pt Lt 26w Pl 166 Thurlow; Pt Lt 51-52 Pl 267 Thurlow,
 Pt 1 21r23803; Belleville ; County Of Hastings



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This designation permits a range of residential uses including low, medium and high densities with forms ranging from single family detached dwellings to various types of attached and multiple dwellings, under various forms of tenure (freehold, rental, cooperative and condominium). Residential development within this designation is encouraged to occur at various densities within the City. The Official Plan suggests that at a minimum, medium density residential developments provide a housing density of 60 units per hectare.

The existing building conforms to the policies of the "Residential Land Use" designation of the City of Belleville Official Plan.

4.3.2 **Condominium Conversion Policies**

Policy 3.10.2 (i) of the City of Belleville's Official Plan relates to the conversion of existing rental dwellings to condominium. The policy is stated as follows:

"This Plan supports the development of all forms of housing in all forms of tenure, being freehold, rental, cooperative, and condominium.

Conversion of existing rental dwellings to condominium or freehold is supported by this Plan, provided that prior to granting approval, Council considers:

- *The appropriateness of the building for such conversion;*
- *Site amenities and services;*
- *Existing vacancy rates in the community;*
- *Timing of the conversion; and*
- *Arrangements made for addressing the needs of or the impact upon existing residents of the building."*

Of the five criteria listed in the policy noted above, only one is quantitative in nature, that being the existing vacancy rates in the community, while the rest of the criteria listed are somewhat ambiguous. The following summarizes our response to the conversion criteria contained within Policy 3.10.2 (i):

The appropriateness of the building for such conversion: The subject property consists of one seven-storey apartment building with surface parking and an underground garage. The rear of the lot contains an open grassed area for use by the residents of the building for leisure activities. Based on review of the site, it would be relatively easy to create a plan to divide the building and property into common elements and private units. The parking areas, sidewalks, grassed area, the main lobby and the hallways etc. would be defined as common elements, while the individual rental units would then become the private units. As such, it appears that the building would be considered appropriate for this type of conversion.

Site Amenities and Services: Currently, the subject property enjoys full access to municipal services and contains all the normal site amenities including parking, grassed open space area,

recycling and waste storage, as well as laundry facilities and storage areas. There will be no change to site amenities and services as a result of the conversion.

Existing vacancy rates in the community: Based on review of the data collected and presented by Canada Mortgage and Housing Corporation (CMHC) in their 2018 Rental Market Report, the City of Belleville's vacancy rate has risen to 2.4 percent, a difference of 0.2 percent from 2017 and a difference of 0.6 percent from the Ontario-wide vacancy rate (1.8 percent). The average vacancy rate in the Belleville CMA over the past four years is 3.1 percent. The vacancy rate may soon increase even further as 266 approved apartment and apartment condominium units will become available after 2019 and another 332 apartment units are currently moving through the site plan approval process. The City's Official Plan does not currently specify what an appropriate vacancy rate should be when considering a conversion application. It simply states that Council should consider existing vacancy rates in the community and as such, it is left for Council to interpret this policy.

In considering the vacancy rate against this condominium conversion, it is important to note that the applicant has committed to a minimum 10-year moratorium in which legally no units can or will be sold. Tenants of the subject property will not be displaced or disadvantaged by this conversion and will be able to remain in their units for as long as they wish. Further tenant protection is provided through Section 51 of the Residential Tenancies Act of 2006. It provides security of tenure for existing tenants, which means that should approval be given to convert the existing apartment units on the subject property into condominium units, tenants cannot be displaced unless they themselves decide to move out. Similarly, tenants are given the first opportunity to purchase their unit should they choose to do so, prior to the unit being offered for sale to a third party. As such, the proposed conversion of the apartment units in the subject building to a condominium will have no impact on the existing tenants in terms of their current living situation.

Timing of the conversion: According to the 2018 CMHC Rental Market Report, the fixed sample average rent in Belleville increased by 4.9 percent in the last year, which is above the 2018 Ontario guideline of 1.8 percent. The approval of this condominium conversion application should ultimately result in a reduction in each of the tenant's rent of between \$100.00 and \$125.00 per month. As the subject building will be maintained as rental, the Residential Tenancies Act requires that any property tax savings resulting from a conversion must be passed down to the tenants in the form of reduced rental rates. This may also result in more units within the subject property being considered affordable, as discussed further in Section 5.0 of this report. Given the recent increases in rent within Belleville, the proposed conversion is timely in that it will likely result in rent decreases for existing tenants.

Arrangements made for addressing the needs of or the impact upon existing residents of the building: Tenants of the buildings were advised of the proposed conversion and the potential for a reduction of rent through a written statement delivered to each tenant in mid-September, as well as during an open information meeting organized by Realstar. Through the Planning Act requirements, existing tenants will be further informed of any public meetings held.

4.3.3 *City of Belleville Official Plan Summary*

Based on the foregoing, the proposed condominium conversion conforms to the City of Belleville Official Plan. The proposed condominium conversions will not negatively impact the City's supply of affordable housing and may result in additional affordable rental opportunities. The proposed condominium conversions satisfy the required considerations found in Section 3.10.2 (i) of the Official Plan.

4.4 Zoning By-law

The subject lands are zoned "Residential Seventh Density Zone" (R7) by the City of Belleville's Zoning By-law No. 10245. The zone permits a main residential building with one or more apartment dwellings, which is the current use on the subject lands. Specific performance standards from the Zoning By-law are denoted in the table below:

Regulation	Required in R7 Zone	Existing	Compliance (Yes/No)
Minimum Lot Frontage	45.7 metres	54.88 metres	Yes
Minimum Lot Area per dwelling unit	72.3 m ²	60 m²	No (total lot area of 4100 m² divided by 68 units)
Minimum Front Yard	10.6 meters	5.36 metres	No
Minimum Interior Side Yard Width	7.5 metres or one-half the height of the main building, whichever is greater.	13.75 metres	Yes
Minimum Rear Yard Depth	7.5 metres or one-half the height of the main building, whichever is greater.	20.15 metres	Yes
Minimum GFA per dwelling unit	Bachelor: 28 m ² One bedroom: 42 m ² Two bedroom: 55.5 m ² Three bedroom: 69.5 m ² Four bedrooms: 79 m ² For each additional bedroom: 9.3 m ²	Average one bedroom: 66.43 m² Average two bedroom: 83.14 m² Average three bedroom: 110.18 m²	Yes
Minimum Landscaped Area	40% of lot area	Approximately 54%	Yes
Minimum Parking Spaces	1.25 spaces per unit	Approximately 70 spaces according to the Physical Condition Assessment prepared by Halcrow Yolles and dated February 2012 (102 spaces required).	No
Maximum Building Height	None	7 storeys	Yes
Maximum Lot Coverage	20 percent	26 percent	No

Based on review of the relevant By-law performance standards, the subject property is non-conforming with a number of the current provisions including the minimum lot area per dwelling, minimum front yard setback, minimum number of required parking spaces and minimum lot coverage percentage. In reviewing the history of the City of Belleville's Zoning By-law, it appears that the current Zoning By-law was adopted by Council in 1977 and approved by the Ontario Municipal Board in 1978. As the subject building was constructed in 1972, prior to the approval of the current Zoning By-law, the property has legal non-conforming status. As such, an Amendment or Variance is not required for this application to proceed.

5.0 AFFORDABLE HOUSING ANALYSIS

The purpose of this section is to demonstrate that the proposed condominium conversion will not have a negative impact on the supply of affordable housing in the City. Given that the proposed condominium conversion is requested for administrative, legal and financial reasons and the existing building will be maintained as rental, this section examines the impact of the conversion on both affordable ownership and affordable rental opportunities.

In order to determine the affordable housing threshold in the City of Belleville, Altus Group was retained to review rent roles for the subject lands to determine the impact of the proposed conversions in terms of affordable rental and affordable ownership.

5.1 Rental Housing Affordability

The City of Belleville Official Plan supports the development of affordable housing and encourages all residential neighbourhoods to have a variety of housing types at various levels of affordability. The City's Official Plan does not provide a definition for "Affordable Housing", however, the PPS provides a definition for "Affordable". The definition is stated as follows:

"Affordable means:

b) In the case of rental housing, the least expensive of:

- 1. A unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or*
- 2. A unit for which the rent is at or below the average market rent of a unit in the regional market area.*

Per the definition of "Affordable" provided above, there are two tests to determine the affordable rental threshold. The first test is based on a rent that does not exceed 30 percent of the gross annual household income for low and moderate income households. Low and moderate income households are those households with incomes in the lowest 60 percent of income distribution for the Regional Market Area. Based on 2016 Census information on household income for renter households, the 60th percentile income in the Belleville CMA as of 2016 is \$44,030. In order to provide a more recent representation of the household income, Altus Group indexed the 2016 income to 2018 at a rate of 2 percent per year which resulted in a household income of \$45,791.20. Based on the definition for "Affordable" in the case of rental housing, 30 percent of the annual household income in the Belleville CMA equated to \$13,737 per year, or \$1,145.00 per month. Thus, a unit that costs less than \$1,145.00 per month would be considered affordable rental housing under the first test.

The second test for affordable rental housing is based on the average rent of units with the regional market area. The 2018 CMHC Rental Market Report for the Belleville CMA identified the following average rents for each type of unit:

- Bachelor: \$722.00 per month;
- One-bedroom: \$918.00 per month;
- Two-bedroom: \$1,027 per month; and
- Three or more bedrooms: \$1,272.00 per month

Therefore, the second test provides a more refined approach than the first method as it provides affordability thresholds for rental units of varying types. As the average rent for all units under the second test (\$997.00 per month) is lower than the calculated costs under the first test (\$1,145 per month). Altus Group relied on the lower of the two thresholds in determining how many of the existing units in the subject building are affordable.

Altus Group reviewed rent roles for the subject building to complete a rental housing affordability analysis. As of December 2018, all 68 of the units in the subject building were occupied. Based on review of the rents as of this time and the affordable rent thresholds retrieved from the 2018 CMHC Rental Market Report for the Belleville CMA, none of the units have rents that meet the definition of affordable rents. Each of the 68 units are currently above the affordability thresholds and deemed to have 'mid-range' rents. It is important to once again note that Section 131 of the Residential Tenancies Act, and Section 41 of O.Reg. 516/06 require that reductions in municipal property tax rates greater than 2.49 percent for buildings with more than seven (7) units must be passed through to tenants via reduced rents. The following table shows the impact to rents if rents were decreased by \$50.00 per unit and \$100.00 per unit, for example.

Potential Rent Reductions and Affordability			
	Existing Affordable Units	Affordable Units following a \$50.00 Rent Reduction	Affordable Units following a \$100.00 Rent Reduction
217 Bridge Street East	0	0	2

Should the proposed conversion be approved, it is anticipated that a rental reduction of between \$100.00 and \$125.00 per month will occur. As such, it can be expected that two or more units will meet the definition of affordable. Any remaining units that would not meet the definition of affordable would still experience a rent reduction and therefore, would put money back into the pockets of the residents. It is noted that the above is an estimate only. Potential rent reductions cannot be determined until tax rates are revised.

5.2 Ownership Housing Affordability

Per the definition of "Affordable" found in the PPS, there are two tests to determine the affordable ownership threshold:

1. *Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or*
2. *Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area.*

The first test for affordable home ownership is based on the annual gross household income of low and moderate income households. As demonstrated above, 30 percent of the annual household income in the Belleville CMA is \$13,737.00 per year, or \$1,145.00 per month. The income distribution in the Belleville CMA, as reported in the 2016 Census shows that the high-end of the \$60,000 to \$69,999 income range is the 55.5th percentile, while the high-end of the \$70,000 to \$79,999 income range is the 63.1st percentile. If we assume a straight-line distribution between these two points, it means that the 60th percentile income, as of 2016, would be approximately \$75,901. By applying an index factor of 4 percent to this 2016 income, the result represents the income value in 2018 terms, which equates to \$78,937.00. As such, 30 percent of this annual household income is \$23,681.00 per year, or \$1,973 per month.

Based on the following assumptions, Altus Group has estimated the "annual accommodation costs":

- Mortgage Costs (4.64 percent interest rate, 25-year amortization period with monthly payments, 10 percent down payment);
- CMHC Mortgage Insurance Costs (based on the assumed down payment and a requirement to pay CMHC mortgage insurance, at a rate of 3.1 percent of house value, paid monthly over the life of the mortgage); and
- Property Tax Costs (the City's 2018 property tax rates, inclusive of education tax rates, of 1.607 percent)

Based on these assumptions, the affordable ownership threshold in the Belleville CMA equates to \$303,282.00.

The second test for affordable ownership is based on the average purchase price of a resale unit in the regional market area. Based on a December 2018 report from the Quinte & District Association of Realtors, the average purchase price of a resale unit was \$335,481.00. A reduction of this price by 10 percent would result in an affordable ownership housing threshold of \$301,933.00

As such, the lower of the calculated affordable home ownership thresholds is the second test, or \$301,933.00. Therefore, any unit offered for sale less than \$301,933.00 would be considered affordable housing.

The units in the subject building, should they be sold in the future, are expected to have a selling price below the affordable ownership threshold. Therefore, the conversion from rental to condominium tenure would result in all units meeting the definition of affordable ownership, generating a substantial increase in the number of affordable units on the site. In total, the conversion to ownership would increase the number of affordable units on the site from 0 units to 68 units.

5.3 Summary

The proposed conversion of the units to condominium tenure will not result in the removal of affordable rental units from the rental stock and therefore will have no effect on the supply of affordable housing. In fact, additional affordable rental opportunities may be created as a result of pass-through tax savings. In the event that units were sold, all would be considered to be affordable. The existing building will be maintained as a rental apartment building.

6.0 SUMMARY & CONCLUSIONS

It is our opinion, as outlined in this report, that the proposed Draft Plan of Condominium should be considered for recommendation by staff and approved by Council for the following reasons:

1. The proposed condominium conversion is consistent with the Provincial Policy Statement, 2014;
2. The proposed condominium conversion conforms to the policies of the City of Belleville Official Plan and satisfies the criteria for consideration of a conversion;
3. The proposed condominium conversion will not impact the supply of rental housing as all units are to be maintained as rental.
4. The proposed condominium conversion will not impact the supply of affordable rental as no rent increases are anticipated and any tax savings resulting from the conversion may result in a rent reduction, as required by the Residential Tenancies Act. As a result of the rent reduction, some units within the building may become affordable rental units, which none of the units in the building currently are.
5. If units were to be sold, all of the units would be considered to have a selling price below the ownership affordability threshold and therefore would be considered affordable.

We request that this report and all supporting material related to the applications be deemed complete and that the applications be processed.

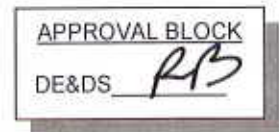
Respectfully submitted,



David W. Aston, MSc, MCIP, RPP
Partner
MHBC Planning



Andrea Sinclair, BES, MUDS
Associate
MHBC Planning



CITY OF BELLEVILLE
Greg Pinchin
Manager of Approvals
Engineering & Development Services Department
Report No. APS-2019-23
July 2, 2019

To: Belleville Planning Advisory Committee

Subject: Notice of Application and Introductory Public Meeting for a Proposed Condominium Conversion
230-232 Moira Street East, City of Belleville
OWNER: Moira Street Apartments Limited c/o Realstar Management
Agent: MHBC Planning Limited

File: 12CD-19003

Recommendation:

“That Report No. PP-2019-23 dated July 2, 2019 regarding Notice of Application and Introductory Public Meeting for a Proposed Condominium Conversion, 230-232 Moira Street East, City of Belleville be received as information; AND

That Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department.”

Background:

The initial public meeting is held in accordance with the requirements of the *Planning Act*. The purpose of this meeting is for Committee Members to formally hear and receive public comments. The intent of this statutory public planning meeting is to receive public feedback and incorporate it into a recommendation report from staff.

As shown in **Attachment #1**, currently situated at 230-232 Moira Street East are two 3-storey apartment buildings, each containing 12 units. These buildings were constructed in 1983. The 24 apartment units are currently rented out by one owner.

The Owner proposes to convert the apartment buildings to condominium ownership.

The *Condominium Act* allows an owner of an existing development to apply to Council for exemption from the formal Condominium Review process that would be undertaken in a new development situation. The Owner applied for such an exemption from Council last fall, and the application was denied. Thus, the Owner is now making formal application to the City for approval of a Draft Plan of Condominium for the property.

In overview, this application is not about changing the use of the buildings or the property but rather about changing the type of tenure. The buildings and property will still be used for apartment type dwelling units, the question being are these units rented, or could they at some point be owned by the occupants.

In support of the application, the following was submitted:

- Draft Plan of Condominium – 230 Moira Street East by MHBC Planning Ltd, dated March 19, 2019 (**Attachment #2**)
- Planning Justification Report – Application for Condominium Conversion, 230-232 Moira Street East by MHBC Planning Ltd, dated April 2019 (**Attachment #3**)

These documents have been available for public review at the Approvals Section of the Engineering & Development Services Department.

Provincial Policy Statement:

Municipalities are required to ensure all decisions related to land use planning matters shall be consistent with the Provincial Policy Statement.

Planning Staff will consider the following policies in the PPS:

- 1.1.1 Healthy, liveable and safe communities are sustained by:
 - a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
 - b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons) [...] to meet long-term needs;
 - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; and
 - e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

- 1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:
 - a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households;
 - b) permitting and facilitating:
 1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and
 2. all forms of residential intensification

Official Plan:

Planning Staff will use the policies within the Official Plan to make a recommendation. The land is designated "Residential" in the City's Official Plan. The City's policies with regard to the conversion of existing rental dwellings to condominium or freehold tenure are set out in the Official Plan.

Section 3.10.2 i) of the Plan states that:

- i) This Plan supports the development of all forms of housing in all forms of tenure, being freehold, rental, cooperative, and condominium.

Conversion of existing rental dwellings to condominium or freehold is supported by this Plan, provided that prior to granting approval, Council considers:

- the appropriateness of the building for such conversion;
- site amenities and services;
- existing vacancy rates in the community;
- timing of the conversion; and
- arrangements made for addressing the needs of or the impact upon existing residents of the building.

Zoning By-law:

The subject lands are currently zoned R6 – Residential Sixth Density, which permits one or more apartment dwellings. There are no changes proposed to the zoning.

Public Circulation:

Notice of the subject application was mailed to all registered owners of land within 120 metres (400 feet) of the subject property on June 12, 2019. Notice was also provided by advertisement in The Intelligencer newspaper on June 12, 2019, in accordance with the notice provisions set out in the *Planning Act*.

No comments or concerns have been received regarding this application to date.

Agency & Departmental Circulation:1) Internal Departments

The subject application was circulated for comment to the Development Engineer, the Director of Fire and Emergency Services, the Director of Recreation, Culture and Community Services, the Manager of Policy Planning, the Chief of Police, the Manager of Parks & Open Spaces, the Manager of Transportation & Operations, and the Manager of Environmental Services on May 13, 2019.

None of the internal departments contacted have indicated any concerns with this proposal.

2) External Agencies

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, Cogeco, Union Gas (Enbridge), Veridian Connections (Elexicon), Hydro One Networks and CN Rail on May 13, 2019.

To date, Bell Canada and Union Gas (Enbridge) have advised that they will require easements for their existing services to be included as a condition of approval. Veridian Connections (Elexicon) advises that suite metering may be available. No concerns have been received from external agencies regarding this application.

Considerations:

- **Public**

Public notice and circulation complies with the requirements of the *Planning Act, R.S.O. 1990*.

- **Financial**

The fees payable for processing the application have been received by the City. Any planning, engineering, surveying and legal costs to facilitate the condominium conversion of the subject lands would be at the Owner's expense.

- **Impact on and input from other Departments/Sources**

Circulation of this application to other departments/agencies has occurred.

- **Strategic Plan Alignment**

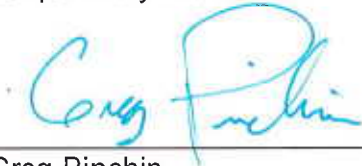
The City of Belleville's Strategic Plan identifies nine strategic themes including Residential Development. A key strategic objective of the Residential Development theme is to:

- Provide for a variety of housing forms to reflect our changing demographics and need for affordability.

Conclusion:

Comments received at this public meeting, as well as subsequent written comments will be considered by the Engineering and Development Services Department in analysis of this application for approval of a Draft Plan of Condominium to convert the existing apartment buildings to condominium ownership. A recommendation report will be brought forward upon receipt of all agency and public comments.

Respectfully submitted.



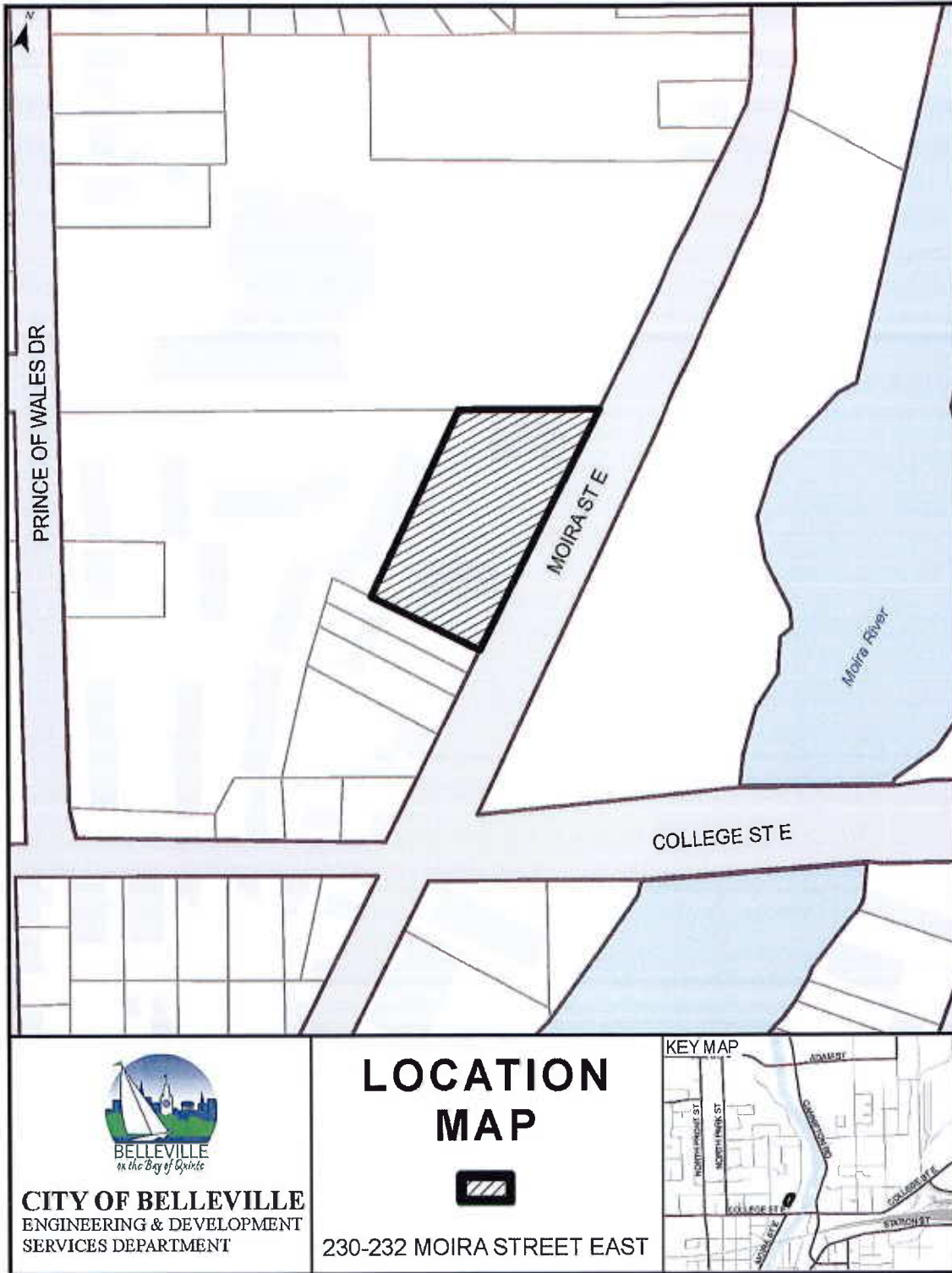
Greg Pinchin

Attachments

- Attachment #1 – Location Map
- Attachment #2 – Draft Plan of Condominium – 230 Moira Street East by MHBC Planning Ltd, dated March 19, 2019
- Attachment #3 – Planning Justification Report – Application for Condominium Conversion, 230-232 Moira Street East by MHBC Planning Ltd, dated April 2019

ATTACHMENT #1

Location of Subject Property





PLANNING JUSTIFICATION **REPORT**

Application for Condominium Conversion

230-232 Moira Street East
City of Belleville

Date:

April 2019

Prepared for:

Realstar Management Partnership

Prepared by:

MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC)

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Our File 10139AA

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FIGURES

- Figure 1 – Local Context Map
- Figure 2 – Draft Plan of Condominium
- Figure 3 – City of Belleville Official Plan

1.0 INTRODUCTION

MacNaughton Hermesen Britton Clarkson Planning Limited (hereinafter "MHBC") has been retained by Realstar Management Partnership ("Realstar") in the submission of the required application to facilitate the conversion of the residential apartment buildings, presently existing on the subject lands known as 230-232 Moira Street East, Belleville (hereinafter referred to as the "subject lands"), from rental to condominium tenure.

The subject lands are situated west of the Moira River with College Street East to the south, Prince of Wales Drive to the west and Elvins Street to the north. The subject lands consist of two 3-storey residential apartment buildings that contain 12 units each. The apartment buildings are separated by a surface parking area providing 27 parking spaces for residents of both buildings. The purpose of this application is to convert the existing apartment buildings to a plan of condominium. It is noted that this application for condominium conversion is considered to be technical as it is the intention of Realstar to maintain all units as rental. A request for exemption from condominium review was originally submitted to the City of Belleville for the subject property in October 2018. City Staff, after having reviewed the request against existing, relevant policies and legislation, provided Council with a recommendation to approve the requests for exemption from condominium review. Council decided against Staff's recommendation and denied the request for exemption. This report has been prepared to provide Council with a fulsome justification in support of the condominium conversion that considers a number of factors including local and provincial policies; affordability; and tenant protection.

Realstar is a privately owned real-estate investment and management company focused largely on rental residential. Realstar manages approximately 25,000 rental suites across Canada, including four buildings in the City of Belleville. The subject lands are professionally maintained and managed by Realstar.

Given the ownership and management structure of the subject lands, the existing apartment buildings are intended to be maintained as rental. Realstar has completed approximately thirteen condominium conversion projects over the past 15 years. During this time, no units in any of the converted buildings have been sold and no tenant has been displaced by the conversions. Section 51 of the Residential Tenancies Act (RTA), 2006 provides security of tenure for existing tenants and for the first right of refusal on the purchase of an existing apartment unit for the existing tenant. Consequently, if approval is given to convert an existing apartment unit on the subject property into a condominium unit, a tenant residing in that apartment unit cannot be displaced unless they decide to move out. Similarly, if the tenant wishes to change from renting his/her apartment to purchasing it, they have the right to purchase their own unit prior to the unit being sold to a third party. Therefore, the proposed conversion of the existing dwellings to a condominium will have no impact on the existing tenants in terms of remaining where they currently live and in fact may result in a reduction in their rent.

The reasons for this condominium conversion is for administrative and management purposes. Given the technical nature of the proposed condominium conversion application, it is concluded that there will be no significant impact on rental housing in the City of Belleville or the security of tenure for existing tenants in the buildings.

The purpose of this report is to provide the following:

- A description of the subject lands and surrounding neighbourhood;
- A detailed description of the proposed plan of condominium;
- An overview of applicable Provincial and municipal planning controls;
- Justification as to how the application conforms to these planning controls; and,
- An analysis of the City of Belleville's existing vacancy rate and affordability and how it's related to the proposed conversion.

This Planning Report will detail how this application complies with the policies of both Provincial Plans and the City of Belleville's Official Plan. Information obtained from Altus Group Economic Consulting ("Altus Group") assisted in the preparation of this report.

2.0 DESCRIPTION OF SUBJECT LANDS

The following section provides a detailed description of the subject lands including its local context and existing conditions.

2.1 Subject Lands & Existing Conditions

The subject lands, known municipally as 230-232 Moira Street East are situated on the west side of Moira Street East, approximately 80 metres north of College Street East. The site is presently occupied by two three-storey residential apartment buildings consisting of 12 units each and a surface parking area providing 27 parking spaces for residents of both buildings. The subject buildings are identical with each providing one-bedroom and two-bedroom units. No development, site alteration or change to the existing number of units currently in existence is proposed as part of these applications. The existing development is described as follows:

Moira Apartments (230-232 Moira Street East)

- Area of approximately 0.4 hectares
- Two three-storey apartment buildings with a total of 24 units divided equally between both buildings. The units are comprised of:
 - 10 one-bedroom
 - 14 two-bedroom
- 27 surface parking spaces

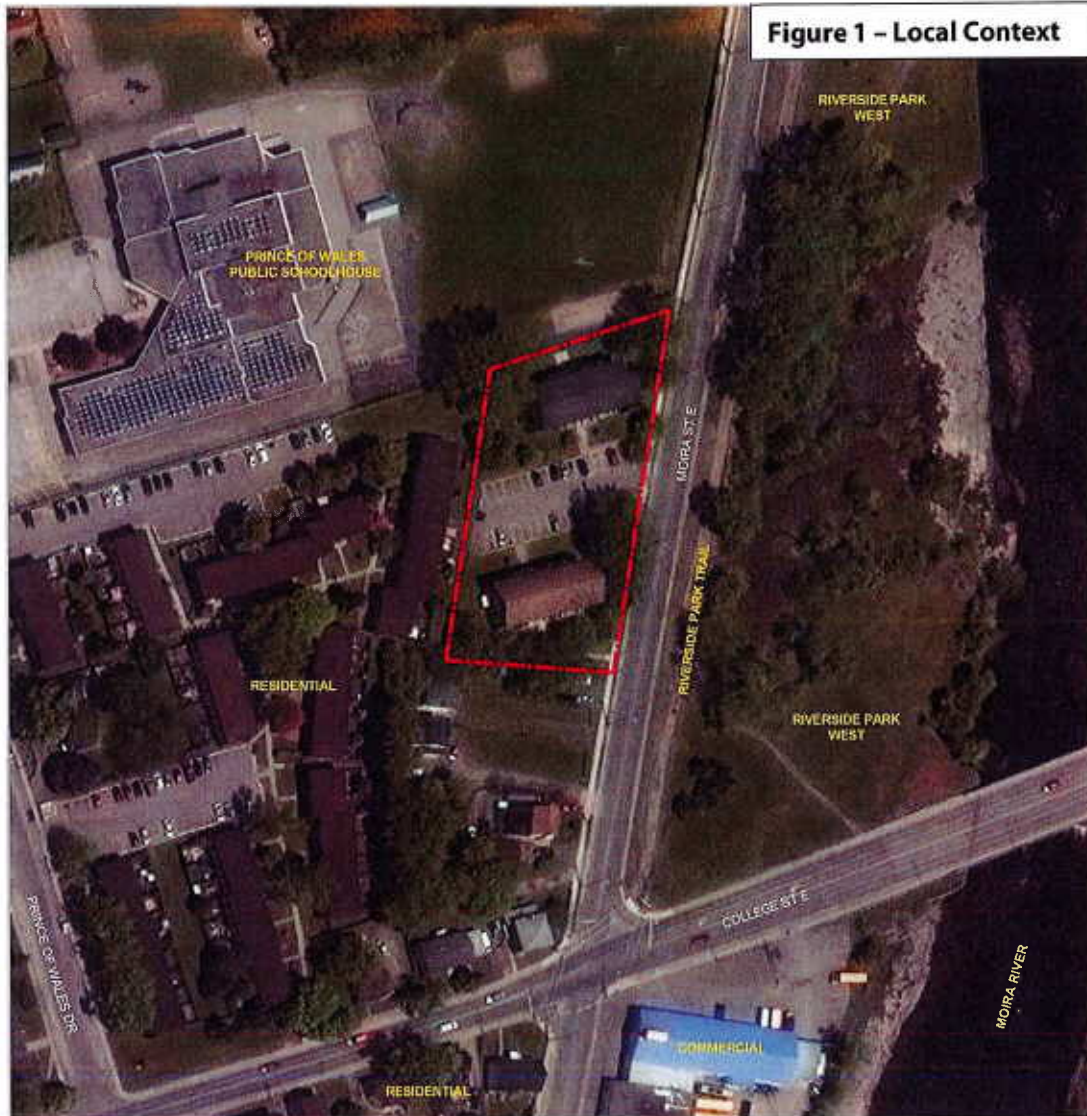
Access to the subject lands is shared via a mutual driveway from Moira Street East (eastern lot line). This access is used for ingress and egress of the surface parking area benefitting both residential buildings. The subject buildings have a building footprint of approximately 380 square metres (4,090 square feet) each and a total building area of approximately 1,140 square metres (12,270 square feet) each.

2.2 Local Context

The subject lands are located to the west of the Moira River, situated approximately 80 metres north of College Street East, as illustrated in Figure 1 below.

The subject lands are located in an area comprised of primarily low density residential and institutional uses. Immediately to the east of the subject lands is the Moira River with open space alongside it. Residential uses consisting of single family detached homes are located south of the subject property, while townhomes are located immediately to the west. Directly to the north of

the subject property is the Prince of Wales Public Schoolhouse, which consists of the school building and a large outdoor recreational space. The closest major intersection to the subject lands is Moira Street East and College Street East, where a commercial vehicle sales centre and residential uses can be found.



3.0 DESCRIPTION OF PROPOSAL

The purpose of this section is to provide a general description of plans of condominium and condominium conversions as well as the impact of the application on the subject property. A description of the plan of condominium proposed for the subject lands are also provided.

3.1 Condominium Conversion Description

A condominium can be a high-rise or low-rise apartment, townhouse, freehold or detached house, office complex or commercial mall. What sets a condominium apart is the way in which owners share the ownership of common elements (e.g., parking areas, roads and sidewalks, corridors, lobbies, elevators, heat and electrical systems) while having individual ownership of units. The condominium corporation must pay for the upkeep and maintenance of common elements.

Condominium conversion is the process of entitling a rental property held under one title to convert from sole ownership of the entire property into individually owned units which can be sold as condominiums.

In this case, the Owners intend to maintain ownership of the subject lands and continue to operate the buildings as rental. No change to the operation and management of the buildings will occur as a result of the proposed conversions. Tenants will not be displaced or disadvantaged by the proposed conversion.

The conversion is being requested for administrative and management purposes. Some benefits to a condominium conversion include the following:

- Condominium conversions often result in realty tax savings. The savings may result in the freeing up additional funds which would allow for capital investments to the subject building.
- It is anticipated that the conversions will increase the property's market value. The increase in value provides an opportunity to leverage additional funds through traditional financial institutions.
- When realty taxes are reduced by more than 2.49% the Residential Tenancies Act ("RTA") entitles residents to receive a rent reduction. The reduction is equal to the Owner's per suite property tax reduction, but an accurate amount is unknown at this time. However, based on preliminary estimates, it is anticipated that the tenants of 230-232 Moira Street East would receive a rent reduction of between \$40.00 and \$50.00 per month. The reduction in rent can also improve the financial performance of the building by reducing turnover and improving other operational metrics.

For these reasons, the proposed condominium conversion is considered to be technical. The subject lands will continue to operate as a rental residential complex and no existing tenants will be impacted, apart from potential rent reductions.

In addition, tenant security continues to be governed by the RTA following the proposed conversion. The RTA declares the right of residency in the building for each tenant. Hence, the current Owner or any subsequent Owner cannot terminate their residency to sell a unit. If the Owner ever decided to sell an apartment unit, the existing tenant would have first right to buy the unit. If the tenant declined the purchase of the unit they would continue to have a lifetime right to remain as a tenant in the apartment unit.

3.2 Draft Plan of Condominium

The Plan of Condominium application proposes the conversion of the existing rental apartment units in both buildings to condominium tenure. No construction or demolition is proposed as part of these applications. There will be no modifications to the subject lands as they presently exist. Notwithstanding the proposed condominium conversion, it is the intention of the Owner to maintain the existing apartment units as rental.

The proposed plans of condominium are to be standard condominiums consisting of both units and common elements. All parking spaces are to be unitized with the exception of the barrier-free parking spaces which are to be part of the common elements.

The common elements will include all landscaped space, internal laneways and walkways, barrier free parking spaces and any elements internal to the buildings that are not within the units. Given that no construction or demolition is proposed, completion of Draft Plans of Condominium will be required as a condition of approval. A preliminary Draft Plan of Condominium is included on the following page.

4.0 POLICY FRAMEWORK

This section demonstrates that the proposed Draft Plan of Condominium is consistent with and conforms to the applicable Provincial and Municipal planning policy regulatory framework.

4.1 Planning Act, R.S.O. 1990, c. P.13

Section 51(24) of the Planning Act relates to approval of plans subdivision and plans of condominium. The application has been reviewed with regard to Section 51(24) and it is concluded that the application satisfied each of the subdivision criteria. Specifically:

- a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

Provincial interests have been addressed and discussed in the review of the Provincial Policy Statement (PPS).

- b) whether the proposed subdivision is premature or in the public interest;*

The proposed conversion is not premature. The application meets the criteria that considers conversion set forth by the City of Belleville Official Plan as further addressed and discussed in Section 4.3.2 of this report.

The proposed development is in the public interest for the following reasons:

- i. The proposed units, if sold, will create affordable home ownership opportunities.
- ii. The "pass-through" of realty tax savings to existing tenants will result in additional affordable rental units and lower rental costs for all residents. Residents were informed of the potential rent reduction in correspondence dated September 10, 2018.
- iii. All forms of housing are required to meet the social, health and well-being requirements of current and future residents;
- iv. Tenant security for existing tenants will be provided and is enforced through the Residential Tenancies Act.
- v. The applicant is investing in the long-term maintenance of the property which represents a substantial investment in the property.

- c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*

The proposed condominium conversion conforms to the City of Belleville Official Plan and does not have an impact on adjacent plans of subdivision. This is further addressed below in Section 4.3 of this report.

d) the suitability of the land for the purposes for which it is to be subdivided;

The subject lands are presently being used for residential purposes. No change in use is proposed.

d1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

The proposed conversion of the units to condominium tenure may result in additional affordable rental opportunities as a result of pass-through tax savings. In the event that the units were sold, all of the units would be considered to be affordable as they would have a selling price below the affordable ownership threshold of \$301,933.00 in the Belleville CMA.

f) The dimensions and shaped of the proposed lots;

The dimension and shape of the proposed lots is not relevant as no new development is proposed on the subject lands.

g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

The conditions of approval will sufficiently address any agency requirements.

h) Conservation of natural resources and flood control;

The conservation of natural resources and flood control is not relevant as no development is proposed.

i) The adequacy of utilities and municipal services;

The adequacy of utilities and services is not relevant to these applications as no new dwelling units are proposed to be created.

m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection

Site Plan Approval was previously issued for the existing developments on the subject lands. No new development is planned and no changes to the approved site plan are required to permit the requested conversion.

The Planning Act allows for the approval authority to impose appropriate conditions of approval. As such, the City of Belleville may impose conditions of approval to be satisfied prior to final condominium plan registration. Based on review of Section 51(24) of the Planning Act, the proposed conversion complies with all relevant conditions.

4.2 Provincial Policy Statement (2014)

Effective April 30, 2014, the Province of Ontario issued, in accordance with Section 3 of the *Planning Act*, a new Provincial Policy Statement (PPS). The PPS provides policy direction on matters of Provincial interest related to land use planning and development. It is to be considered in all planning decisions. One of the key considerations of the PPS is that planning decisions must be "consistent with" the PPS.

The PPS provides a vision for land use planning in Ontario that encourages an efficient use of land, resources and public investment in infrastructure. A range and mix of land uses is encouraged to provide choice and diversity. A variety of transportation modes are promoted to facilitate pedestrian movement and less reliance on the automobile, and public transit is encouraged as a means of creating more sustainable, livable and healthy communities. The PPS strongly encourages development that will provide long term prosperity, environmental health and social well-being.

Policy 1.1.1 of the PPS states that healthy, liveable and safe communities are sustained by promoting efficient land use and development patterns; accommodating an appropriate range and mix of land uses to meet long-term needs; avoiding development and land use patterns which may cause environmental or public health and safety concerns; and promoting cost-effective development patterns and standards to minimize land consumption and servicing costs, among others. The 2014 PPS specifically requires the provision of a "range and mix" of residential development.

Section 1.4.3 of the PPS requires that planning authorities provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents by establishing and implementing minimum targets for the provision of affordable housing; permitting and facilitating all forms of housing to meet the social, health and well-being requirements of current and future residents; and permitting and facilitating all forms of intensification.

Based on the 2018 CMHC Rental Market Report released on November 28, 2018, the number of existing rental units (mix of bachelor, one-bedroom, two-bedroom, and three-bedroom and larger) in the Belleville Census Metropolitan Area is 5,717 units. This does not include units in publicly owned rental apartment buildings, private rental townhouse units, condominium units that are rented out, secondary suites, or other types of rental accommodation that may exist. According to the 2016 National Household Survey, there were 43,005 private households in the City of Belleville, of which 13,235 of those households rented their housing unit. Based on the data

from the Survey, it is clear that the CMHC Rental Market Report takes into consideration only a portion of the entire rental housing stock within the City.

The proposed conversion will not alter the current mix of housing types in the City of Belleville; only tenure is affected. As a result, the current range of housing and supply of housing will be unaffected. Generally, in condominium conversion applications, security of tenure is provided for existing tenants through the Residential Tenancies Act. In this case, the Owner intends to maintain all existing units as rental following the proposed conversion. The proposed conversion is being requested for administrative, legal and financial reasons as detailed in Section 1.0 and 2.0 of this report. As a result, no residential units will be lost through the proposed conversions.

Additionally, based on information published by the City of Belleville's Building Department, building permits for 185 apartment units and 81 condominium units have been issued between January 1, 2016 and October 31, 2018. All of these new units are currently being constructed and have not yet been added to the rental housing supply. Furthermore, the City of Belleville has through the site plan process, approved or will shortly approve another 332 apartment units. These units will be eligible for building permits this year.

The proposed application for Draft Plan of Condominium is consistent with the PPS as the subject property presently consists of medium density residential development and is on full-municipal services. The change in ownership of these apartment units will not impact the range and mix of housing within the Town as no new development is planned and no loss of units will occur as a result of the proposed conversion. Further, there are no policies in the PPS related to tenancy of housing.

In summary, the proposed condominium conversion is consistent with the policies of the Provincial Policy Statement, 2014.

4.3 City of Belleville Official Plan

The City of Belleville Official Plan was adopted by City Council on June 18th, 2001 and approved by the Ministry of Municipal Affairs and Housing on January 7th, 2002 pursuant to Section 17 (34) of the Planning Act. The intent of this Plan is to provide for the orderly development of the City within the framework of the Vision Statement. It directs development in such a manner so that adjacent land uses are complementary to each other.

4.3.1 *Residential Land Use Designation*

The subject property is designated "Residential Land Use" by the City of Belleville's Official Plan as shown in Figure 3 below:

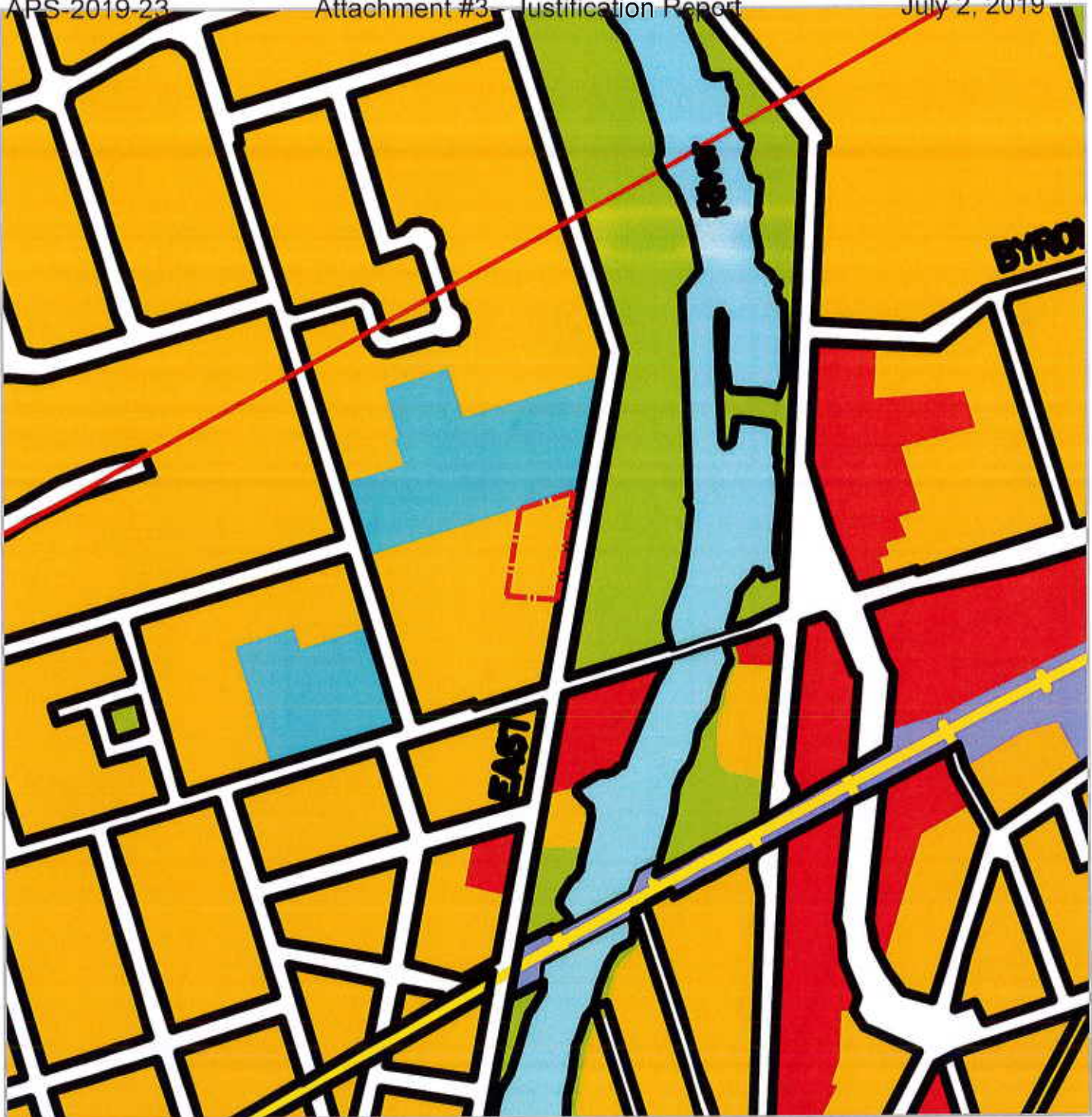








Figure: 3
**City of Belleville
 Official Plan
 Schedule 'B'- Land
 Use Plan- Urban
 Serviced Area**

230-232 Moira St East
 Pct 1-1 Sec 103 (belleville); Pt Lt 1 E/s James
 St Pl 103 Thurlow; Pt Lt 2 E/s James St Pl 103
 Thurlow Now Prince Of Wales Dr; Pt Lt A W/s
 Moira St Pl 103 Thurlow Parts 1 & 2 21r502;
 Belleville ; County Of Hastings

LEGEND

-  Subject Lands
-  COMMERCIAL LAND USE
-  RESIDENTIAL LAND USE
-  INDUSTRIAL LAND USE
-  OPEN SPACE
-  COMMUNITY FACILITY

DATE: December 10, 2018

SCALE: NTS

FILE: 10139AA

DRAWN: GC



K:\10139AA_100\MOIRA ST\TOPOP_SCHBLM_URBANLANDUSE.DWG

MHBC PLANNING
 URBAN DESIGN
 & LANDSCAPE
 ARCHITECTURE
 200-540 BINGEMANS CENTRE DR. KITCHENER, ON, N2B 3K9
 P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM

This designation permits a range of residential uses including low, medium and high densities with forms ranging from single family detached dwellings to various types of attached and multiple dwellings, under various forms of tenure (freehold, rental, cooperative and condominium). Residential development within this designation is encouraged to occur at various densities within the City. The Official Plan suggests that at a minimum, medium density residential developments provide a housing density of 60 units per hectare.

The existing building conforms to the policies of the "Residential Land Use" designation of the City of Belleville Official Plan.

4.3.2 *Condominium Conversion Policies*

Policy 3.10.2 (i) of the City of Belleville's Official Plan relates to the conversion of existing rental dwellings to condominium. The policy is stated as follows:

"This Plan supports the development of all forms of housing in all forms of tenure, being freehold, rental, cooperative, and condominium.

Conversion of existing rental dwellings to condominium or freehold is supported by this Plan, provided that prior to granting approval, Council considers:

- *The appropriateness of the building for such conversion;*
- *Site amenities and services;*
- *Existing vacancy rates in the community;*
- *Timing of the conversion; and*
- *Arrangements made for addressing the needs of or the impact upon existing residents of the building."*

Of the five criteria listed in the policy noted above, only one is quantitative in nature, that being the existing vacancy rates in the community, while the rest of the criteria listed are somewhat ambiguous. The following summarizes our response to the conversion criteria contained within Policy 3.10.2 (i):

The appropriateness of the building for such conversion: The subject property consists of two three storey apartment buildings and surface parking. The buildings are surrounded by generous landscaped areas. Based on review of the site, it would be relatively easy to create a plan to divide the building and property into common elements and private units. The parking area, sidewalks, grassed area, hallways and stairwells would be defined as common elements, while the individual apartment units would become the private units. As such, it appears that the building would be considered appropriate for this type of conversion.

Site Amenities and Services: Currently, the subject property enjoys full access to municipal services and contains all the normal site amenities including parking, grassed open space area,

recycling and waste storage, as well as laundry facilities and storage areas. There will be no change to site amenities and services as a result of the conversion.

Existing vacancy rates in the community: Based on review of the data collected and presented by Canada Mortgage and Housing Corporation (CMHC) in their 2018 Rental Market Report, the City of Belleville's vacancy rate has risen to 2.4 percent, a difference of 0.2 percent from 2017 and a difference of 0.6 percent from the Ontario-wide vacancy rate (1.8 percent). The average vacancy rate in the Belleville CMA over the past four years is 3.1 percent. The vacancy rate may soon increase even further as 266 approved apartment and apartment condominium units will become available after 2019 and another 332 apartment units are currently moving through the site plan approval process. The City's Official Plan does not currently specify what an appropriate vacancy rate should be when considering a conversion application. It simply states that Council should consider existing vacancy rates in the community and as such, it is left for Council to interpret this policy.

In considering the vacancy rate against this condominium conversion, it is important to note that the applicant has committed to a minimum 10-year moratorium in which legally no units can or will be sold. Tenants of the subject property will not be displaced or disadvantaged by this conversion and will be able to remain in their units for as long as they wish. Further tenant protection is provided through Section 51 of the Residential Tenancies Act of 2006. It provides security of tenure for existing tenants, which means that should approval be given to convert the existing apartment units on the subject property into condominium units, tenants cannot be displaced unless they themselves decide to move out. Similarly, tenants are given the first opportunity to purchase their unit should they choose to do so, prior to the unit being offered for sale to a third party. As such, the proposed conversion of the apartment units in the subject building to a condominium will have no impact on the existing tenants in terms of their current living situation.

Timing of the conversion: According to the 2018 CMHC Rental Market Report, the fixed sample average rent in Belleville increased by 4.9 percent in the last year, which is above the 2018 Ontario guideline of 1.8 percent. The approval of this condominium conversion application should ultimately result in a reduction in each of the tenant's rent of between \$40.00 and \$50.00. As the subject building will be maintained as rental, the Residential Tenancies Act requires that any property tax savings resulting from a conversion must be passed down to the tenants in the form of reduced rental rates. This may also result in more units within the subject property being considered affordable, as discussed further in Section 5.0 of this report. Given the recent increases in rent within Belleville, the proposed conversion is timely in that it will likely result in rent decreases for existing tenants.

Arrangements made for addressing the needs of or the impact upon existing residents of the building: Tenants of the buildings were advised of the proposed conversion and the potential for a reduction of rent through a written statement delivered to each tenant in mid-September, as well as during an open information meeting organized by Realstar. Through the Planning Act requirements, existing tenants will be further informed of any public meetings held.

4.3.3 City of Belleville Official Plan Summary

Based on the foregoing, the proposed condominium conversion conforms to the City of Belleville Official Plan. The proposed condominium conversions will not negatively impact the City's supply of affordable housing and may result in additional affordable rental opportunities. The proposed condominium conversions satisfy the required considerations found in Section 3.10.2 (i) of the Official Plan.

4.4 Zoning By-law

The subject lands are zoned "Residential Sixth Density Zone" (R6) by the City of Belleville's Zoning By-law No. 10245. The zone permits a main residential building with one or more apartment dwellings, which is the current use on the subject lands. Specific performance standards from the Zoning By-law are denoted in the table below:

Regulation	Required in R6 Zone	Existing	Compliance (Yes/No)
Minimum Lot Frontage	24.0 metres	98.49 metres	Yes
Minimum Lot Area per dwelling unit	161.5 m ²	166 m ²	Yes
Minimum Front Yard	7.5 meters	8.13 metres	Yes
Minimum Interior Side Yard Width	3.0 metres or one-half the height of the main building, whichever is greater.	8.03 metres	Yes
Minimum Rear Yard	7.5 metres	7.52 metres	Yes
Minimum GFA per dwelling unit	One bedroom: 42 m ² Two bedroom: 55.5 m ²	One bedroom: 49.5m ² Two bedroom: 68.8m ²	Yes
Maximum Building Height	10.6 metres	9.9 metres	Yes
Minimum Landscaped Area	40% of lot area	~60 % of the lot area	Yes
Minimum Parking Spaces	1.25 spaces per unit	27 spaces	No (30 spaces are required for 24 units)

Based on the above, the subject property complies with the existing zoning regulations, with the exception of the required number of standard parking spaces. Ensuring compliance with parking regulations could be dealt with as a condition of draft plan approval.

All other zoning regulations are met by the existing buildings.

5.0 AFFORDABLE HOUSING ANALYSIS

The purpose of this section is to demonstrate that the proposed condominium conversion will not have a negative impact on the supply of affordable housing in the City. Given that the proposed condominium conversion is requested for administrative, legal and financial reasons and the existing building will be maintained as rental, this section examines the impact of the conversion on both affordable ownership and affordable rental opportunities.

In order to determine the affordable housing threshold in the City of Belleville, Altus Group was retained to review rent roles for the subject lands to determine the impact of the proposed conversions in terms of affordable ownership and affordable rental.

5.1 Rental Housing Affordability

The City of Belleville Official Plan supports the development of affordable housing and encourages all residential neighbourhoods to have a variety of housing types at various levels of affordability. The City's Official Plan does not provide a definition for "Affordable Housing", however, the PPS provides a definition for "Affordable". The definition is stated as follows:

"Affordable means:

b) In the case of rental housing, the least expensive of:

- 1. A unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or*
- 2. A unit for which the rent is at or below the average market rent of a unit in the regional market area."*

Per the definition of "Affordable" provided above, there are two tests to determine the affordable rental threshold. The first test is based on a rent that does not exceed 30 percentage of the gross annual household income for low and moderate income households. Low and moderate income households are those households with incomes in the lowest 60 percent of income distribution for the Regional Market Area. Based on 2016 Census information on household income for renter households, the 60th percentile income in the Belleville CMA as of 2016 is \$44,030.00. In order to provide a more recent representation of the household income, Altus Group indexed the 2016 income to 2018 at a rate of 2 percent per year which resulted in a household income of \$45,791.20. Based on the definition for "Affordable" in the case of rental housing, 30 percent of the annual household income in the Belleville CMA equated to \$13,737 per year, or \$1,145.00 per month. Thus, a unit that costs less than \$1,145.00 per month would be considered affordable housing under the first test.

The second test for affordable rental housing is based on the average rent of units with the regional market area. The 2018 CMHC Rental Market Report for the Belleville CMA identified the following average rents for each type of unit:

- Bachelor: \$722.00 per month;
- One-bedroom: \$918.00 per month;
- Two-bedroom: \$1,027 per month; and
- Three or more bedrooms: \$1,272.00 per month

Therefore, the second test provides a more refined approach than the first method as it provides affordability thresholds for rental units of varying types. As the average rent for all units under the second test (\$997.00 per month) is lower than the calculated costs under the first test (\$1,145 per month). Altus Group relied on the lower of the two thresholds in determining how many of the existing units in the subject building are affordable.

Altus Group reviewed rent roles for the subject property to complete a rental housing affordability analysis. As of December 2018, all but one of the 24 units in the Moira buildings were occupied. Based on review of the rents as of this time and the affordable rent thresholds retrieved from the 2018 CMHC Rental Market Report for the Belleville CMA, eight of the units meet the definition of affordable rents. The remaining 15 occupied units are above the affordability thresholds and are deemed to have 'mid-range' rents. Altus Group has assumed that the vacant unit would have a mid-range rent once re-occupied. It is important to once again note that Section 121 of the Residential Tenancies Act, and Section 41 of O.Reg. 516/06 require that reductions in municipal property tax rates greater than 2.49 percent for buildings with more than seven units must be passed through to tenants via reduced rents. The following table shows the impact to rents if rents were decreased by \$50.00 per unit and \$100.00 per unit, for example:

Potential Rent Reductions and Affordability			
	Existing Affordable Units (Occupied)	Affordable Units following a \$50.00 Rent Reduction (Occupied Units)	Affordable Units following a \$100.00 Rent Reduction (Occupied Units)
230-232 Moira Street East	8	21	23

Based on the table above, in the event that rents were decreased by \$50.00, a total of 21 occupied units would be considered affordable. If a rental reduction of \$100.00 were to occur, all 23 occupied units would be considered affordable. It is noted that the above is an estimate only. Potential rent reductions cannot be determined until tax rates are revised.

5.2 Ownership Housing Affordability

Per the definition of "Affordable" found in the PPS, there are two tests to determine the affordable ownership threshold:

1. *Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or*
2. *Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area.*

The first test for affordable home ownership is based on the annual gross household income of low and moderate income households. As demonstrated above, 30 percent of the annual household income in the Belleville CMA is \$13,737.00 per year, or \$1,145.00 per month. The income distribution in the Belleville CMA, as reported in the 2016 Census shows that the high-end of the \$60,000 to \$69,999 income range is the 55.5th percentile, while the high-end of the \$70,000 to \$79,999 income range is the 63.1st percentile. If we assume a straight-line distribution between these two points, it means that the 60th percentile income, as of 2016, would be approximately \$75,901. By applying an index factor of 4 percent to this 2016 income, the result represents the income value in 2018 terms, which equates to \$78,937.00. As such, 30 percent of this annual household income is \$23,681.00 per year, or \$1,973 per month.

Based on the following assumptions, Altus Group has estimated the "annual accommodation costs":

- Mortgage Costs (4.64 percent interest rate, 25-year amortization period with monthly payments, 10 percent down payment);
- CMHC Mortgage Insurance Costs (based on the assumed down payment and a requirement to pay CMHC mortgage insurance, at a rate of 3.1 percent of house value, paid monthly over the life of the mortgage); and
- Property Tax Costs (the City's 2018 property tax rates, inclusive of education tax rates, of 1.607 percent)

Based on these assumptions, the affordable ownership threshold in the Belleville CMA equates to \$303,282.00.

The second test for affordable ownership is based on the average purchase price of a resale unit in the regional market area. Based on a December 2018 report from the Quinte & District Association of Realtors, the average purchase price of a resale unit was \$335,481.00. A reduction of this price by 10 percent would result in an affordable ownership housing threshold of \$301,933.00

As such, the lower of the calculated affordable home ownership thresholds is the second test, or \$301,933.00. Therefore, any unit offered for sale less than \$301,933.00 would be considered affordable housing.

The units in the Moira buildings, should they be sold in the future, are expected to have a selling price below the affordable ownership threshold. Therefore, the conversion from rental to condominium tenure would result in all units meeting the definition of affordable ownership, generating a substantial increase in the number of affordable units on the site. In total, the conversion to ownership would increase the number of occupied affordable units on the site from 8 units to 23 units.

5.3 Summary

The proposed conversion of the units to condominium tenure will not result in the removal of affordable rental units from the rental stock and therefore will have no effect on the supply of affordable housing. In fact, additional affordable rental opportunities may be created as a result of pass-through tax savings. In the event that units were sold, all units would be considered to be affordable. The existing building will be maintained as a rental apartment building.

6.0 SUMMARY & CONCLUSIONS

It is our opinion, as outlined in this report, that the proposed Draft Plan of Condominium should be considered for recommendation by staff and approved by Council for the following reasons:

1. The proposed condominium conversion is consistent with the Provincial Policy Statement, 2014;
2. The proposed condominium conversion conforms to the policies of the City of Belleville Official Plan and satisfies the criteria for consideration of a conversion;
3. The subject property is compliant with the provisions of the Zoning By-law, with the exception of the required number of standard parking spaces. Compliance with parking regulations could be dealt with as a condition of draft plan approval.
4. The proposed condominium conversion will have no impact on the current tenants of the buildings other than the potential reduction of monthly rent.
5. The proposed condominium conversion will not impact the supply of rental housing as all units are to be maintained as rental.
6. The proposed condominium conversion will not impact the supply of affordable rental as no rent increases are anticipated and any tax savings resulting from the conversion may result in a rent reduction, as required by the Residential Tenancies Act. As a result of the rent reduction, a majority of the units in the subject buildings may become affordable, which currently only 8 units are.
7. If units were to be sold, all of the units would be considered to have a selling price below the ownership affordability threshold and therefore would be considered affordable.

We request that this report and all supporting material related to the applications be deemed complete and that the applications be processed.

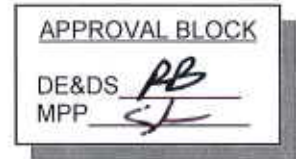
Respectfully submitted,



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MHBC Planning



Andrea Sinclair, BES, MUDS
Associate
MHBC Planning



CITY OF BELLEVILLE

Thomas Deming, Principal Planner
Engineering and Development Services Department
Report No. PP-2019-49
July 2, 2019

To: Belleville Planning Advisory Committee

Subject: Staff Recommendation Report
Proposed Zoning By-law Amendment (By-law 10245)
250 Sidney Street
City of Belleville
APPLICANT/OWNER: 2589989 Ontario Inc.
AGENT: RFA Planning Consultant Inc.

File: B-77-1076

Recommendation:

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

1. "THAT Zoning By-Law Number 10245, as amended, be amended by rezoning the subject lands described as 250 Sidney Street to add Cannabis Processing Facility as a permitted use to the Restricted Industrial (M1-11) Zone with special provisions to recognize the existing 15 metre front yard setback."
2. "THAT a by-law to approve and authorize the execution of a Development Agreement between 2589989 Ontario Inc. and The Corporation of the City of Belleville be prepared for Council's consideration."

Strategic Plan Alignment:

The City of Belleville's Strategic Plan identifies nine strategic themes. This proposal aligns with the City's Industrial and Commercial Development strategic theme by meeting the following objectives:

- Ensure suitable serviced employment lands are available to meet the needs of all potential industrial and commercial investments
- Market the City's unique strengths to attract leading-edge industries that provide high paying job opportunities
- Support initiatives that create an available skilled labour force, including programs to retain youth in the community

Background:

The Engineering and Development Services Department Policy Planning Division received a rezoning application for 250 Sidney Street on January 30, 2019. The purpose of the application is to add cannabis processing facility as a permitted use for the property.

The Planning Advisory Committee reviewed Report No. PP-2019-15 (Attachment #1) at the March 4, 2019 meeting. Now that input from the public, commenting agencies, and municipal departments had been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department, staff has prepared a recommendation report.

The subject land is identified on the attached Location Map (Attachment #2). Site details for the subject land:

Site Review	Description
Site Location	The subject lands are municipally known as 250 Sidney Street and located west of Sidney Street, north of Bridge Street West, and south of Wilson Avenue.
Site Size	7.73 Hectares.
Present Use(s)	Business, professional and/or administrative office; medical sports injury clinic; personal fitness training facility.
Proposed Use	Cannabis processing facility.
Belleville Official Plan Designation	Industrial.
Present Zone Category	M1-11 – Restricted Industrial with special provisions.
Proposed Zone Category	M1-11 – Restricted Industrial with special provisions.
Land uses to the north	Elementary school and industrial uses.
Land uses to the east	Residential lots and local commercial.
Land uses to the south	Exhibition Park.
Land uses to the west	An industrial zoned lot partially vacant and partially used for recreational facilities. Adjacent are residential lots.

Documents submitted as part of the application include:

- A Planning Rationale by RFA Planning Inc. (Attachment #3);
- A proposed site plan of the subject property (Attachment #4);
- A memo from RFA Planning Inc. summarizing Planning Advisory Committee and City Council meetings between March 5, 2018 and April 9, 2018 regarding a previous application (File B-77-1044) for an amendment to modify the provisions of the Restricted Industrial (M1-11) Zone to add a medical marihuana production facility as a permitted use (Attachment #5);

- A memo from CannDelta: Canadian Regulatory & Scientific Cannabis Consulting on Physical Security Requirements of the Cannabis Regulations SOR/2018-144 (Attachment #6); and
- A document outlining Existing Fencing & Lighting Conditions (Attachment #7).

These documents have been available for public review at the Planning Department.

Proposal:

The Applicant proposes a rezoning to add 'Cannabis Processing Facility' as a permitted use in the Restricted Industrial (M1-11) Zone and recognize the existing 15 metre minimum front yard depth, where the opposite side of the street is a residential zone. The proposed use does not include the production of cannabis.

Provincial Policy Statement:

Municipalities are required to ensure all decisions related to land use planning matters shall be consistent with the Provincial Policy Statement.

The Provincial Policy Statement provides that a municipality will provide new employment opportunities to help diversify its economic base. The applicant has indicated the use will employ up to fifty (50) employees at full capacity.

The City's long-term economic prosperity will be maintained by permitting a use in an emerging economic sector; which in return shall promote economic competitiveness of the municipality. A Statistics Canada survey conducted throughout 2018 and continuing into 2019 has shown that (3.5%) more Canadians are using cannabis since legalization and usage in Ontario has increased from 13.5% to 20%. (Attachment #8).

Official Plan

The land is designated "Industrial" in the City's Official Plan (Attachment #9 – Official Plan Designation Map).

Areas designated as industrial are intended to serve as the major concentrations of industrial activity and employment in the City and the policies of this Plan are intended to provide flexibility to enable firms to respond quickly to changing economic conditions. This Plan encourages diversification of the types and sizes of industrial activities in the City.

Uses permitted in areas designated Industrial land use include activities associated with the manufacturing, assembling, fabricating, packaging or

processing of goods and services, including transportation/truck terminals, warehouses, railway uses, and other similar uses. The applicant is proposing packaging and processing of goods of a small scale located within an enclosed building, with limited to no outdoor storage and will not produce levels of noise, dust, or odours typical of general industrial uses. Notwithstanding this, the building will be outfitted with specialized air filtration systems to mitigate any odours that may occur as a result of the proposed Cannabis Processing Facility.

It is Staff's opinion that this proposal conforms to the City of Belleville Official Plan.

Zoning By-law

The subject lands are currently zoned Restricted Industrial (M1-11) with special provisions to permit a medical sports injury clinic and a personal fitness training facility in addition to the uses permitted in the M1 Zone. The subject lands are the only lot zoned M1-11 in the City of Belleville.

The application proposes to add Cannabis Processing Facility as a permitted use in the Restricted Industrial (M1-11) Zone and recognize the existing 15 metre minimum front yard depth, where the opposite side of the street is a residential zone.

Permitted uses in the Restricted Industrial (M1) Zone include:

- light manufacturing, assembling, processing and for fabricating of goods and materials;
- warehousing and storage of goods, but not including salvage yards;
- wholesale business;
- research and development facility;
- training facility and/or commercial school;
- business, professional and/or administrative office;
- printing and/or publishing establishment;
- commercial and/or industrial rental/service business;
- industrial and office equipment sales, rental, supply and service;
- and
- business and industrial incubator.

It is Staff's opinion that the proposed use of a cannabis processing facility is consistent with other uses permitted in the Restricted Industrial Zone as it involves packaging and processing of goods. Moreover, if the proposed use of the facility was for processing of any other type of good a rezoning would not be necessary.

Public Comments

On February 13, 2019 a written notice and location map was mailed by first class mail to all registered owners of land within 120 metres of the subject property. The notice provided information that a public meeting was scheduled for March 4, 2019.

Similarly, a sign was placed on the subject lands notifying the general public that a Public Meeting was scheduled for March 4, 2019.

Both notices state that additional information is available in the City's planning files for review by any member of the public during business hours.

Written correspondence from the public has been included in this report (See Attachment #10).

Submitted written comments of concerns and/or opposition include:

- that this type of use should be in an industrial area;
- impact on surrounding properties including odour, lighting, aesthetics of the fencing, vehicle traffic noise and emissions; and
- proximity to school and residential areas.

One letter was submitted in support of the application stating the lighting from the former sport fields never impacted the dwellings on Boyce Court, that they did not foresee an increase in traffic would affect Boyce Court, and that they supported an opportunity for new jobs in the City.

Public Meeting

At the public meeting on March 4, 2019, the Agent, Shawn Leger of RFA Planning Inc. provided an overview of the proposal. Virginia MacLean, Council of the applications, spoke about Health Canada's strict guidelines including required security measures. Owners/Applicants Frank Mondelli and Michael Sannella of "2589989 Ontario Inc." answered questions regarding their intent to lease the facility to possibly two companies for cannabis processing.

There were three members of the public who spoke at the public meeting regarding this application and the minutes of the meeting are included as Attachment #11.

The primary concerns and/or opposition from the public include:

- the affect the facility will have on property values;
- concerns with security; specifically lights/cameras/fencing;

- increased traffic;
- proximity to schools; and
- appearance of building; specifically regarding high fences and cameras.

Two of the most prominent concerns from the public has been fencing and lighting. These issues are further addressed below.

Fencing

Concern at the public meeting was raised regarding barbed wire fencing surrounding the site. The site must be designed in a manner that prevents unauthorized access. Part 4 of the Cannabis Regulations establishes requirements pertaining to physical security measures; in order to ensure that a licence holder's site is adequately secured and safeguarded at all times to protect public safety and to minimize the risks of diversion.

The memo from CannDelta: Canadian Regulatory & Scientific Cannabis Consulting on Physical Security Requirements of the Cannabis Regulations states that the current fence plan for 250 Sidney Street is adequate since a perimeter fence is not required by Health Canada if other physical security measures are put in place as per the Cannabis Regulations. For example, physical security measures such as including long-range motion detectors and weatherproof cameras with video analytics to detect unauthorized access to the site, flood lights for increased visibility of the site perimeter, or use of a night guard may be applied to circumvent the need for a fence.

Staff is satisfied that the concern over barbed wire fencing has been addressed by the Applicant and that no barbed wire is required to be added. Staff is recommending a development agreement be registered on title to ensure the fencing has minimal impact on the surrounding properties.

Lighting

Licence holders for standard processing must meet the following strict requirements for intrusion detection and visual surveillance as required under Part 4 of the Cannabis Regulations in order to be issued a cannabis licence by Health Canada. As previously mentioned, this may include flood lights for increased visibility of the site perimeter.

The Applicant submitted an existing lighting plan which shows floodlights and semi-flush mounted lights on the interior of the property, and full cut-off lights around the perimeter of the property. The full cut-off lighting design increases illumination of the target area, reduces glare and light spillage on surrounding properties, and eliminates upward light and sky glow.

Staff is recommending that a lighting plan also be registered on title as part of a development agreement to ensure public concerns are addressed.

Staff and Agency Comments

External Agency Circulation

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Hastings and Prince Edward Health Unit, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Elexicon Energy, Hydro One, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines, MPAC, Quinte Conservation, and the Health Unit.

To date, Quinte Conservation, Elexicon Energy, and Hydro One have provided correspondence and have no concerns. No other comments 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 Development Engineer, the General Manager of Transportation & Operations Department, General Manager of Environmental Services, the Director of Recreation, Culture and Community Services, the Manager of Parks & Open Spaces, the Chief Administrative Officer, the Manager of Economic & Strategic Initiatives, the City Clerk, and the Chief Building Official.

To date, the Belleville Fire Department, the City's Development Engineer, Recreation, Culture & Community Services, Transportation & Operations Services, and Parks & Open Space departments have provided correspondence and they have no concerns.

No other comments have been received regarding this application.

Planning Analysis:

Consistency with Provincial Policy Statement, Official Plan and Zoning By-law

This application is consistent with the Provincial Policy Statement as the proposed development would promote new economic development and help the City compete in an emerging market. This application should help diversify the economic base of the City. The proposed development is located in a designated industrial area which will assist in mitigation of nuisances such as odour which provides consistency with the PPS.

The Official Plan encourages flexibility within the Industrial land use area to allow for the ability to respond to changing economic conditions, including diversification of the types and sizes of industrial uses. The application is for an emerging product. However, the activity of the proposed use is similar to other industrial activities (i.e. manufacturing, assembling, and processing). It is staff's opinion that the application conforms to the Official Plan.

Public concerns regarding odour should be mitigated by Health Canada's requirement for an air filtration system to mitigate any odours. Considering these facilities are subject to Health Canada inspections on a regular basis, Staff are of the opinion that odour will not be an issue from the facility. Moreover, there will be no outdoor storage of cannabis.

To address fencing and lighting concerns, the Agent, submitted a document outlining existing fencing and lighting on the subject land. The document shows multiple views surrounding the property including from the property between the subjects land and the dwellings on Boyce Court. Staff are of the opinion that any changes to the fencing would have minimal impact. Staff are recommending that the Applicant enter into a development agreement with the City of Belleville that is to be registered on title to ensure concerns over fencing and lighting are addressed as per public comments.

Regarding concerns over proximity to the school to the north of the subject land, Staff note that the school board was circulated and received no feedback regarding the proposed use.

Conclusion:

The Policy Planning Section of the Engineering and Development Services support the rezoning of the subject lands to add 'Cannabis Processing Facility' as a permitted use in the Restricted Industrial (M1-11) Zone and recognize the existing 15 metre minimum front yard depth, where the opposite side of the street is a residential zone.

Respectfully submitted

Thomas Deming, Principal Planner

Attachments

- Attachment #1 – Report No. PP-2019-15
- Attachment #2 – Location Map
- Attachment #3 – Planning Rationale – RFA Planning Consultant
- Attachment #4 – Proposed Site Plan
- Attachment #5 – A memo from RFA Planning Inc. summarizing Planning Advisory Committee and City Council meetings between March 5, 2018 and April 9, 2018 regarding a previous application (File B-77-1044)
- Attachment #6 – A memo from CannDelta: Canadian Regulatory & Scientific Cannabis Consulting on Physical Security Requirements of the Cannabis Regulations SOR/2018-144
- Attachment #7 – Existing Fencing & Lighting Conditions
- Attachment #8 – Statistics Canada National Cannabis Survey, first quarter 2019
- Attachment #9 – Official Plan Designation Map
- Attachment #10–Written Public Correspondence
- Attachment #11–March 4, 2019 Planning Advisory Committee Meeting Minutes



APPROVAL BLOCK
DE& DS _____
MPP _____

CITY OF BELLEVILLE

Thomas Deming, Policy Planner
Engineering and Development Services Department
Report No. PP-2019-15
March 4, 2019

To: Belleville Planning Advisory Committee

Subject: Notice of Complete Application and Introductory Public Meeting
For Proposed Zoning By-law Amendment (By-Law 10245)
250 Sidney Street
City of Belleville
APPLICANT/OWNER: 2589989 Ontario Inc.
AGENT: RFA Planning Consultant Inc.

File: B-77-1076

Recommendation:

"That Report No. PP-2019-15 dated March 4, 2019 regarding Notice of Complete Application and Introductory Public Meeting For Proposed Amendment to Zoning By-Law Number 10245, as Amended – 250 Sidney Street, City of Belleville, County of Hastings be received as information, and;

That Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department."

Background:

The initial public meeting is held in accordance with the requirements of the Planning Act. The purpose of this meeting is for Committee Members to formally hear and receive public comments. The intent of this statutory public planning meeting is to receive public feedback and incorporate it into a recommendation report from staff.

The subject Land is identified on Attachment #1 Location Map.

In support of the application, the following was submitted:

- A Planning Rationale by RFA Planning Inc. (Attachment #2);
- A proposed site plan of the subject property (Attachment #3); and

- A memo from RFA Planning Inc. summarizing Planning Advisory Committee and City Council meetings between March 5, 2018 and April 9, 2018 regarding a previous application (File B-77-1044) for an amendment to modify the provisions of the Restricted Industrial (M1-11) Zone to add a medical marihuana production facility as a permitted use (Attachment #4).

These documents are available for public review at the Engineering and Development Services Department Planning Division.

Site details for the subject land:

Site Review	Description
Site Location	The subject lands are municipally known as 250 Sidney Street and located west of Sidney Street, north of Bridge Street West, and south of Wilson Avenue.
Site Size	7.73 Hectares.
Present Use(s)	Business, professional and/or administrative office; medical sports injury clinic; personal fitness training facility.
Proposed Use	Cannabis processing facility.
Belleville Official Plan Designation	Industrial.
Present Zone Category	M1-11 – Restricted Industrial with special provisions.
Proposed Zone Category	M1-11 – Restricted Industrial with special provisions.
Land uses to the north	Elementary school and industrial uses.
Land uses to the east	Residential lots and local commercial.
Land uses to the south	Exhibition Park.
Land uses to the west	An industrial zoned lot partially vacant and partially used for recreational facilities. Adjacent are residential lots.

Proposal

The Applicant proposes a rezoning to add Cannabis Processing Facility as a permitted use in the Restricted Industrial (M1-11) Zone and recognize the existing 15 metre minimum front yard depth, where the opposite side of the street is a residential zone. The proposed use does not include the production of cannabis.

Provincial Policy Statement

Municipalities are required to ensure all decisions related to land use planning matters shall be consistent with the Provincial Policy Statement.

Planning Staff will consider the following policies in the PPS:

1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities;

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;

Official Plan

The land is designated "Industrial" in the City's Official Plan (Attachment #5 – Official Plan Designation Map). Planning Staff will use the policies within the Official Plan to make a recommendation. Official Plan policy that will be considered includes:

- Lands within the Industrial Land Use designation shall be used predominantly for manufacturing, assembling, fabricating, packaging or processing of goods and services, including transportation/truck terminals, warehouses, railway uses, and other similar uses. Other compatible uses such as commercial uses accessory to industrial uses, commercial uses which primarily serve the industrial area, wholesale establishments, office uses, equipment rental uses, data processing establishments, other quasi-industrial, service or business uses such as automotive services uses and utility or service companies, and commercial uses which require large sites for storage are permitted.
- This Plan encourages diversification of the types and sizes of industrial activities in the City. Certain lands designated Industrial Land Use are located immediately adjacent to residential areas or land uses that can be sensitive to the impacts of industrial activity. In such areas, the range of uses should be limited to service industrial uses which are less likely to cause significant off-site impacts.
- Where industrial development is proposed adjacent to lands designated or used for sensitive land uses such as residential

development, the Municipality should determine, using the Ministry of Environment's guideline on compatibility between industrial facilities and sensitive land uses, the separation distances or mitigative measures that should be employed to reduce the potential of land use conflict. Separation distances may vary depending upon the nature of the proposed industrial use and the sensitive land use.

- Where an existing industrial Land Use is located in close proximity to sensitive land uses, the Municipality should encourage the establishment of mitigative measures to reduce the impact of the industrial use on adjoining land uses (i.e. fencing, landscaping, berming, limited building fenestrations oriented towards the sensitive land uses).

Zoning By-Law

The subject lands are currently zoned Restricted Industrial (M1-11) with special provisions to permit a medical sports injury clinic and a personal fitness training facility in addition to the uses permitted in the M1 Zone. The subject lands are the only lot zoned M1-11 in the City of Belleville.

The application proposes to add Cannabis Processing Facility as a permitted use in the Restricted Industrial (M1-11) Zone and recognize the existing 15 metre minimum front yard depth, where the opposite side of the street is a residential zone.

Permitted uses in the Restricted Industrial (M1) Zone include:

- light manufacturing, assembling, processing and for fabricating of goods and materials;
- warehousing and storage of goods, but not including salvage yards;
- wholesale business;
- research and development facility;
- training facility and/or commercial school;
- business, professional and/or administrative office;
- printing and/or publishing establishment;
- commercial and/or industrial rental/service business;
- industrial and office equipment sales, rental, supply and service; and
- business and industrial incubator.

Public Comments

On February 13, 2019 a written notice and location map was mailed by first class mail to all registered owners of land within 120 metres of the subject property. The notice provided information that a public meeting was scheduled for March 4, 2019.

Similarly, a sign was placed on the subject lands notifying the general public that a public meeting was scheduled for March 4, 2019.

Both notices state that additional information is available. This additional information includes a planning rationale, a proposed site plan, and a memo summarizing past Planning Advisory Committee and City Council meetings regarding a previous application at this site. These documents are available for review by any member of the public during business hours.

At the time of writing this report, one member of the public has indicated they would like to be informed of the decision, and no other correspondence from the public has been received by the City regarding this application.

Staff and Agency Comments

External Agency Circulation

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Hastings and Prince Edward Health Unit, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Veridian Connections, Hydro One, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines, MPAC, and the Health Unit.

At the time of writing this report, no 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 Development Engineer, the General Manager of Transportation & Operations Department, General Manager of Environmental Services, the Director of Recreation, Culture and Community Services, the Manager of Parks & Open Spaces, the Chief Administrative Officer, the Manager of Economic & Strategic Initiatives, the City Clerk, and the Chief Building Official.

The Development Engineer, Belleville Fire Department, and Transportation & Operations Department, have provided correspondence and they have no concerns.

At the time of writing this report, no other comments have been received regarding this application.

Considerations:

Public

Circulation to the public complies with the requirements of the Planning Act, R.S.O. 1990.

Financial

The fees of the application have been received by the City.

Impact on and input from other Departments/Sources

Circulation of this application to other departments/agencies has occurred.

Strategic Plan Alignment

The City of Belleville's Strategic Plan identifies nine strategic themes including Industrial and Commercial Development. The strategic objectives of the Industrial and Commercial Development theme are:

- Ensure suitable serviced employment lands are available to meet the needs of all potential industrial and commercial investments
- Market the City's unique strengths to attract leading-edge industries that provide high paying job opportunities
- Encourage remediation and redevelopment of underutilized lands
- Support initiatives that create an available skilled labour force, including programs to retain youth in the community

Conclusion:

Comments received at this public meeting, as well as subsequent written comments will be considered by the Engineering and Development Services Department in analysis of the application received to amend the City of Belleville Zoning By-law 10245. A recommendation report will be brought forward upon receipt of all agency and public comments.

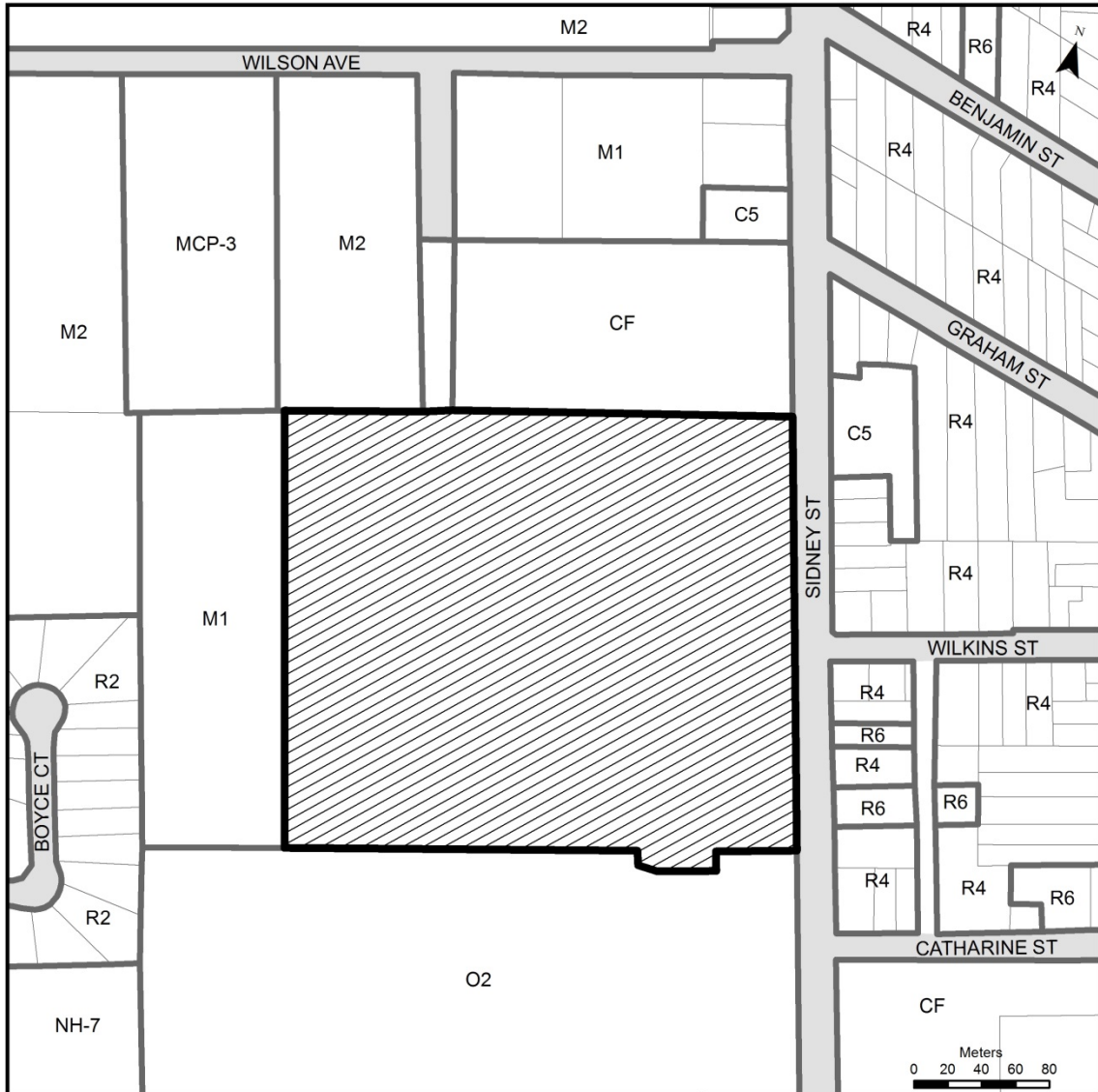
Respectfully submitted



Thomas Deming, CPT
Planner, Policy Planning
Engineering and Development Services Department

Attachments

- Attachment #1 – Location Map
- Attachment #2 – Planning Rationale by RFA Planning Inc.
- Attachment #3 – Proposed site plan of the subject property
- Attachment #4 – Memo from RFA Planning Inc. summarizing Planning Advisory Committee and City Council meetings between March 5, 2018 and April 9, 2018 regarding the amendment to modify the provisions of the Restricted Industrial (M1-11) Zone to add a medical marihuana production facility as a permitted use.
- Attachment #5 – Official Plan Designation Map

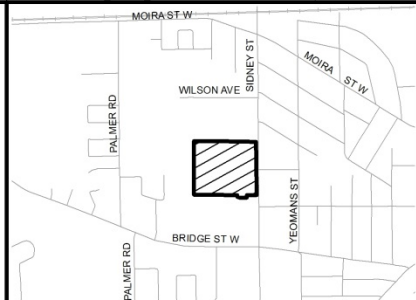


PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 250 SIDNEY ST



PROPOSED ZONING CHANGE FROM M1-11 (RESTRICTED - INDUSTRIAL WITH SPECIAL PROVISIONS) TO AMENDED M1-11 ZONE



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT

B-77-1076



Planning Rationale

To: Stephen Ashton, MCIP, RPP, CAHP, Manager, Policy Planning
From: RFA Planning Consultant Inc.
Cc: Frank Mondelli, 2589989 Ontario Inc., Applicant/Owner
Date: January 30, 2019
Re: Application for an Amendment to the Zoning By-law – 250 Sidney Street, City of Belleville (2589989 Ontario Inc.)

This memo is to summarize our planning opinion in support of the Application for an Amendment to the Zoning By-law for 2589989 Ontario Inc., for conformity to the Provincial Policy Statement and the Belleville Official Plan general policies within the Industrial land use designation. We have also assessed the applicable Zoning By-law provisions and offer the following planning opinion in support of the applications.

BACKGROUND

We were retained in November, 2018 by the applicant, 2589989 Ontario Inc., to undertake a rezoning application for the subject property. The land described as Part of Lots 7, 10 and 11, RCP 1819 Sidney, Part 2 Plan 21R-19819, Belleville, County of Hastings being all of PIN 40457-0148 (LT) and Part of Lots 7 and 11, RCP 1819 Sidney, Part 2 Plan 21R-19819, Belleville, County of Hastings being all of PIN 40457-0153 (LT). The subject property has an area of 7.73 hectares (19.1 acres) with 253.2 metres (830.7 feet) of frontage on the west side of Sidney Street. The land to be rezoned contains a 25,845-square-metre (278,193.3-square-foot) principal building gross floor area and eight outbuildings, including a gatehouse building. The subject property is serviced by municipal piped water and sanitary services. The south and west yards are bordered by chain link perimeter fencing.

211 Dundas Street East, Suite 202, Belleville, Ontario K8N 1E2

 613.966.9070  www.rfaplanningconsultant.ca

Secure loading areas are located along at the southern portion of the building complex, adjacent to Exhibition Park. There are a series of tenants that currently occupy the existing complex, including, but not limited to: Avaya, Quinte Orthopedics, One-to-One Health and Fitness Centre, Metroland Media, Canadian Mental Health Association, Continuing On In Education and various other offices. The property is known as the former Nortel site and was originally constructed in 1947, with various renovations and additions in 1951, 1954, 1961 and 1982. Refer to enclosed **Existing Conditions** sketch for further detail.

The subject property is designated “Industrial Land Use” in the City of Belleville Official Plan and within the “Special Restricted Industrial (M1-11) Zone” of Zoning Bylaw Number 10245. The special provision for the M1-11 Zone indicates that “*a medical sports injury clinic and a personal fitness training facility shall be a permitted use in addition to those uses permitted by Section 1(1) of this Part V.*” The surrounding land uses are a mix of industrial, community facility and residential.

PREVIOUS LAND USE APPROVALS

In January, 2018 an application was filed with the Belleville planning department under File No. B-77-1044. The proposal at that time was to add a Medical Marihuana Production Facility as a permitted use to the site-specific Restricted Industrial (M1-11) Zone for the subject property. Medical Marihuana Production Facility is defined in Zoning By-law 10245 as “*premises used for growing, producing, testing, destroying, storing, or distribution of medical marijuana or cannabis authorized by a license issued by Health Canada.*” The application was recommended by staff and the Planning Advisory Committee (PAC) for approval but was refused by Council on April 9, 2018. Shortly thereafter, the applicant appealed Council’s decision to the Local Planning Appeal Tribunal, but later withdrew the appeal to conduct a fulsome review of its business model and planned use for subject property.

Key issues raised during the respective meetings are as follows:

- Security requirements
- Signage
- Displacement of current tenants
- Clarity on research and development component of facility
- Number of employees
- Appropriateness of location
- Wording of amending By-law
- Types of jobs
- Number of cannabis plants on-site
- Production volume

A memo addressed to the applicant's current solicitor is enclosed for further detail on the proceedings of the PAC public meeting and Council meeting that took place in March and April, 2018, respectively.

APPLICATION FOR REZONING

The purpose of the rezoning application is to add Cannabis Processing Facility as a permitted use on the subject property and to recognize the existing 15.0-metre front yard depth. The front yard depth of the subject property is a pre-existing condition; however, the opposite side of the street is in a residential zone and it is deficient. The proposed Cannabis Processing Facility will utilize 5,574 square metres (60,000 square feet) of the existing Sidney Street complex. A Cannabis Processing Facility use is not currently defined within Zoning By-law Number 1024 and may require a new definition. Through consultation with staff, it is understood that recommendations are coming forward to consider updating the Zoning By-law for cannabis-related uses. Specifically, it is requested the existing M1-11 Zone special provision – *a medical sports injury clinic and a personal fitness training facility shall be a permitted use in addition to those uses permitted by Section 1(1) of this Part V* – be amended to add a Cannabis Processing Facility as a permitted use and to permit a minimum front yard depth of 15.0 metres where the opposite side of the street is in a residential zone. All other provisions of the M1-11 Zone can be met and no other special provisions are necessary.

The applicant, 2589989 Ontario Inc., has applied to Health Canada to obtain a licence for standard processing for the making of cannabis products in accordance with the new *Cannabis Act (Canada) and its cannabis regulations*, which came into effect October 17, 2018. Health Canada will not issue a licence unless it meets municipal zoning regulations. Standard processing of cannabis consists of receiving raw cannabis, processing, packaging, labelling and distribution of the various cannabis products that are manufactured to an authorized licence holder. If for medical purposes, a prescription is received by a Federal Medical Sales Licence holder, who verifies the prescription and places an order with a processing licence holder, who then ships the order directly to the patient to fulfill the prescription. If for recreational purposes, an order is received by a holder of a Licence for Sale of cannabis under the Provincial Act and it is shipped to a provincially licenced store. The proposed Cannabis Processing Facility cannot cultivate, propagate or harvest cannabis or sell cannabis or cannabis products directly to the public. It is important to note that light manufacturing and processing are permitted as-of-right uses on the

subject property. This is consistent with the proposed Cannabis Processing Facility, but where cannabis is a regulated product under Health Canada. The subject rezoning is required in accordance with City of Belleville policy on this basis only.

CONFORMITY TO THE PROVINCIAL POLICY STATEMENT (2014)

The Provincial Policy Statement (PPS) has applied to all planning applications since April 30, 2014. It provides policy direction on matters of provincial interest related to land use planning and development. All decisions related to land use planning matters “shall be consistent with” the PPS. The application for Official Plan Amendment is consistent with the 2014 PPS.

The subject proposal will benefit the financial well-being of the Province and municipality over the long term since the commercial use will add to the local tax base by contributing to the viability of an underutilized industrial site and distributing its products throughout the province under applicable legislation (PPS 1.1.1(a)). The development is an adaptive re-use of an underutilized industrial site with municipal services, which is a cost effective development pattern that mitigates land consumption and servicing costs (PPS 1.1.1e)). Due to the nature of the proposed cannabis processing facility, the subject property was selected as the required electricity infrastructure is available to the site to meet current needs and there are no apparent concerns for the electricity infrastructure to meet projected needs to due the previous Nortel operations (PPS 1.1.1g)).

The proposed use is considered regeneration growth within a settlement area, which shall be promoted (PPS 1.1.3.1). The proposed use will be a pharmaceutical grade facility, which will consist of a “clean” operation that is not anticipated to contribute to any negative impact to air quality. The projected \$250,000 in required renovations is intended to implement modern energy efficiency standards (PPS 1.1.3.2a)3.) along with Health Canada requirements, specifically security and air filtration system to remove potential odours emitted to the outside. A municipal transit stop is located centrally along the Sidney Street frontage of the subject property. An increase in the number of employees working on-site may support the existing transit system through adding potential users (PPS 1.1.3.2a)5.). The subject property is considered freight-supportive due to its close proximity (approximately four kilometres) to the nearest Highway 401 transportation corridor on-ramp.

The business will provide additional employment opportunities. At full capacity it is anticipated that the proposed facility will employ approximately 50 non-workers. (1.3.1(a)). The site is located with Belleville's Sidney Street industrial area, which provides facilities for diverse economic activity for restricted light industrial/employment uses that do not have characteristics that warrant a location in a heavy/general industrial area (1.3.1(b)). The proposed use is considered packaging and processing of goods of a small scale, which is a compatible employment use within a mixed use area. The site is already developed, is within a built up area of the Sidney Street industrial area – a designated employment area – and is considered compact on this basis (PPS 1.3.1c)). The necessary infrastructure is provided to support current and projected needs (PPS 1.3.1d)).

Municipal sewage and water services are provided to the site, which is the preferred form of servicing for settlement areas (1.6.6.2). The site is already developed and there are no apparent concerns with respect to minimizing or preventing increased contaminant loads or minimizing erosion. It is intended to maintain the landscaped yards, which will also assist in maximizing the extent and function of vegetation and pervious surfaces (1.6.6.7).

CONFORMITY TO THE OFFICIAL PLAN

The subject property is designated “Industrial Land Use” on Schedule ‘B’ Land Use Plan – Urban Serviced Area, which forms part of the City of Belleville Official Plan. The Official Plan was approved by the Ministry of Municipal Affairs and Housing on January 7, 2002. The relevant Industrial Land Use policies have been assessed below for conformity to the Official Plan.

Within the Industrial Land Use designation, activities associated with the manufacturing, assembling, fabricating, packaging or processing of goods and services, including transportation/truck terminals, warehouses, railway uses are permitted uses. Other compatible uses such as commercial uses accessory to industrial uses, commercial uses which primarily serve the industrial area, wholesale establishments, office uses, equipment rental uses, data processing establishments, other quasi-industrial service or business uses such as automotive services uses and utility or service companies and commercial uses which require large sites for storage are permitted (OP 3.12.1). Industrial Land Use areas are intended to serve as major concentrations of industrial activity and employment and are considered major enterprise zones (OP 3.12). The proposed Cannabis Processing Facility may be considered a service industrial use as activities will be

located within an enclosed building, with limited to no outdoor storage and will not produce levels of noise, dust or odours characteristic of general industrial uses.

The lot area is 7.73 hectares and the overall lot coverage including the principal and accessory buildings is 30%. The subject property appears to have sufficient area to accommodate the buildings, parking and loading areas along with landscaping, and meets or exceeds the M1 Zone provisions, including setbacks to residential uses. There are 780 existing parking spaces on-site plus visitor parking along Sidney Street, which exceeds the projected needs for off-street parking for manufacturing or warehousing uses with the anticipated number of employees working in shifts. At full capacity, it is anticipated that there will be approximately 50 non-shift employees working at the proposed facility. It has been calculated that 56 parking spaces are needed to meet the off-street parking requirements. The precise number of company vehicles is currently unknown (OP 3.12.2a)).

The existing industrial complex has existed in various forms for over 70 years, and any impact from industrial uses in the immediate vicinity is considered to be a pre-existing condition. Notwithstanding this, the building will be outfitted with specialized air filtration systems to mitigate any odours that may occur as a result of the proposed Cannabis Processing Facility. There are otherwise no apparent land use concerns that may result from the proposed development and the location (OP 3.12.2b)/c)). Furthermore, separation distance to residential uses to the west exceed the M1 Zone requirements, by 15 times (180 metres). Distances to residential uses to the east are a pre-existing condition, where the single-storey manufacturing portion of the complex exceeds the required 22.8-metre separation to residential zone on the opposite side of the street but where the two-storey office portion of the complex is deficient at approximately 15 metres.

With respect to off-street parking requirements, the available parking and loading areas exceed the requirements for the intended number of employees. The proposed cannabis processing facility is understood to have minimal outdoor storage, as the operations – consisting of processing, packaging and distribution – will be contained within the principal building (OP 3.12.2f)).

The above analysis has carefully considered the applicable Official Plan general policies for development within Industrial Land Use areas. It is our planning opinion that the proposed rezoning application conforms to the intent of the Official Plan and that policies of the Official Plan appear to conform to the 2014 PPS.

DISCUSSION

It is requested the existing M1-11 Zone special provision – *a medical sports injury clinic and a personal fitness training facility shall be a permitted use in addition to those uses permitted by Section 1(1) of this Part V* – be amended to add a Cannabis Processing Facility as a permitted use and to permit a minimum front yard depth of 15.0 metres where the opposite side of the street is in a residential zone. All other provisions of the M1-11 Zone can be met and no other special provisions are necessary. It is understood that the existing tenants of the former Nortel complex are aware of the proposed Cannabis Processing Facility. It is further understood that there is no Site Plan Agreement registered on title to the subject property. With respect to the previous rezoning (File No. B-77-1044), we appreciate the new subject application clarifies inconsistencies from the former proposal and addresses key issues such as specific activities related to the intended Health Canada licence and appropriateness of the location.

The main purpose of this report is to assess whether the 2002 Belleville Official Plan is in conformity with the 2014 Provincial Policy Statement (PPS). From our analysis of the relevant policies for the above-noted planning policy documents, it is our planning opinion that the proposed rezoning application conforms to the intent of the Official Plan and that policies of the Official Plan appear to conform to the 2014 PPS.

If you have any questions about this information, please do not hesitate to contact me at extension 206.

Yours truly,



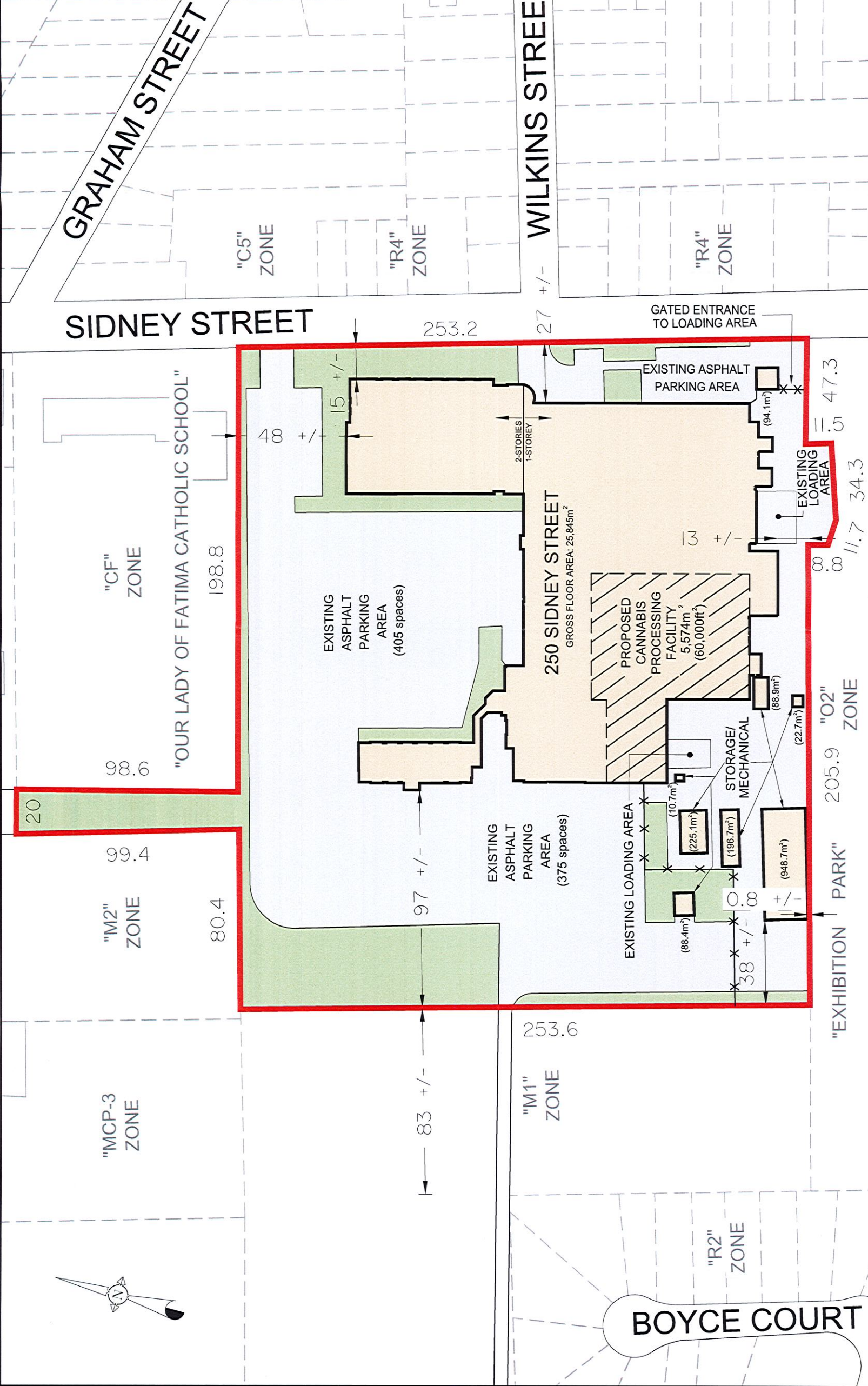
Shawn Legere, MCIP, RPP
RFA Planning Consultant Inc.

Encl.

FILE COPY

RECEIVED
PLANNING SECTION
6-77-1076
JAN 30 2019

S.A.	T.D.	E.B.	J.B.	ACTION	INFO



NOTE:
DRAWING CREATED USING DATA FROM THE CITY OF BELLEVILLE GEOGRAPHIC INFORMATION SYSTEM DATABASE.

DATE: JAN 30, 2019
SCALE: 1:1750

DATE: JAN 30, 2019
SCALE: 1:1750

571 - PSP

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LEGEND

- PROPERTY BOUNDARY
- EXISTING BUILDING FOOTPRINT
- EXISTING LANDSCAPED OPEN SPACE
- EXISTING ASPHALT PARKING AREA
- PROPOSED CANNABIS PROCESSING FACILITY
- EXISTING CHAIN LINK FENCE

EXISTING CONDITIONS

259989 ONTARIO INC.
PT LT 7, 10-11 RCP 1819 SIDNEY
PT 2 21R19819
PT LT 7, 11 RCP 1819 SIDNEY
PT 2 21R19819
250 SIDNEY STREET
CITY OF BELLEVILLE
COUNTY OF HASTINGS

SCALE = 1:1,750 METRIC



Memo

To: Virginia MacLean, Q.C., Barrister & Solicitor

From: RFA Planning Consultant Inc.

Date: January 8, 2018

Re: File No. B-77-1044 – PAC and Council Meeting Summary – 250 Sidney Street, City of Belleville, County of Hastings

The purpose of this memo is to provide a summary of the PAC and City Council meetings that took place on March 5, 2018 and April 9, 2018, respectively, regarding the amendment to modify the provisions of the 'M1-11 – Restricted Industrial' Zone to add a medical marihuana production facility as a permitted use at 250 Sidney Street, in the City of Belleville.

QUESTIONS & CONCERNS ADDRESSED BY PAC

The Belleville Planning Advisory Committee (PAC) meeting took place on March 5, 2018. A number of questions and concerns were raised by PAC members. The following is a list of those questions/concerns.

1. What are the security requirements for the perimeter of the facility?

Health Canada has strict guidelines; approx. 8-foot-tall fencing, barbed wire, cameras throughout and gates with card swipe access only.

2. Will there be signage? If so, what will be included on the sign?

The company's name "Kent-A-Venture Corp." would be displayed in Industrial Park.

3. Will tenants be displaced?

No tenants will be displaced as the property is currently vacant.

4. How will the products be transported?

Products will be transported in compliance with the ACMPR (Access to

211 Dundas Street East, Suite 202, Belleville, Ontario K8N 1E2

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Cannabis for Medical Purposes Regulations). Health Canada would screen the property to ensure the location is conducive to the regulations. There was a mention of the possibility of police escort with product.

5. What will the “research and development” component of the facility entail?

Testing product with other licensed products to find appropriate concentration for medical uses. Extraction for medicinal purposes (oils, etc.)

6. How many people will be employed?

25-50 people; 200 people when at full capacity. Described as “high-paying white-coat lab jobs.”

7. Although the building and the zoning may potentially permit a cannabis production facility, the physical location of the building (being adjacent to a school) does not seem to lend itself as a plausible location for a cannabis production facility.

The building will have multiple security measures to ensure only employees have access to the facility (IE. card swipe access, security clearance, gated entrance). Health Canada requires cannabis production facilities to have HVAC systems that are “Class A” or “high-level”. This will help ensure that no odours are omitted so as to not negatively impact the nearby school. The license obtained from ACMPR will only allow for research, development and extraction purposes. Cultivation will not be permitted. There is no intent to obtain a license for cultivation.

QUESTIONS & CONCERNS ADDRESSED BY THE PUBLIC

A number of questions and concerns were raised by the public at the PAC Meeting on March 5, 2018 regarding the proposed development at 250 Sidney Street. The following is a list of those questions/concerns.

1. Area resident, Kathy Launderville, is concerned with the security aspect and proximity to schools and residential neighborhood. Also concerned with wording in the by-law. If approved by council, the language in the by-law needs to be tightened to ensure cannabis cannot be cultivated at the site in the future.
2. Area resident, Bin Xia, concerned with increased drug use in the City and as a result, potential branding for the City.
3. Area resident, Henry Yu, is concerned with the potential negative effects on the neighborhood.
4. Area resident, Kevin Wu, is concerned with the proximity to schools and residential neighborhoods.

QUESTIONS AND CONCERNS ADDRESSED BY CITY COUNCIL

The City Council meeting took place on April 9, 2018. A number of questions and concerns were raised by council members. The following is a summary of the discussions/questions/concerns that were addressed to the agent, Gregory Parker, of Baldwin Law.

At the March 5, 2018 PAC Meeting, the application had previously called for zero cultivation on site. However, the application being presented to City Council on April 9, 2018, had been amended to allow for the cultivation of cannabis on site strictly for “research & development (scientific) purposes.” Council was disappointed the new application was not circulated to nearby residents of the site prior to this meeting - particularly to the residents who expressed concerns at the March 5, 2018 PAC Meeting. Residents at the March 5, 2018 were assured there would be zero cultivation of any kind on the site. In other words, the application as presented to PAC did not seek clarification for cultivation.

Discussions with Loyalist College have occurred with the possibility of introducing a proposed cannabis curriculum that would be situated at the site, within the “educational room.” An MOU (memorandum of understanding) has been signed between the applicant and Loyalist College.

1. What kind of jobs?

Security for facility, ground floor workers (managing the site), high-paying jobs akin to a pharmaceutical company IE. White-lab coat jobs

2. How many plants?

Would need to adhere to the regulations for a licensed dealer standard. Roughly 10 plants for this site, although this was a ball-park number stated by the agent.

3. What are the anticipated production volumes?

Around 10 plants are to be grown at any given time, which would produce dry product. The plan calls for 45,000 square foot for an auditorium and 60,000 square foot for R&D testing.

The applicant is not opposed to going back to PAC considering adjustments to the application have been made.

Discussion continued amongst Council members and staff regarding the lack of a “Research and Development” definition in the zoning by-law, as related to cannabis, which was concerning to staff. The original application, which calls for a “medical marijuana production facility” is entirely different than a “Research and Development” facility. Council wants to ensure “R&D” is included in the zoning by-law to ensure it doesn’t provide the opportunity to have a production facility on the site in the future.

The amending motion to include “the facility at 250 Sidney Street is to be used for Research and Development purposes only” within Zoning By-law 10245 was carried.

Further discussion ensued regarding the amending motion not being explicit enough and that the amending by-law should include “a limit of ten plants at all times and no selling or production of cannabis on site.” Certain council members did not want to see any cultivation on the site whatsoever. However, cultivation needs to occur on site for testing and extraction purposes. There seemed to be a disconnect between “medical marijuana production facility,” which can involve large scale production and selling of cannabis and “research and development,” where the cultivation of cannabis – at a much smaller scale – can also be required. It was argued that a cap on how many plants can be permitted on site and that no selling of cannabis should be included in the by-law to ensure the facility does not turn into a production and selling facility in the future.

After further discussion, a tabling motion was put forward. Certain council members believed council was rushing into the motion and felt no advancements were being made. A request for more specificity, a clearly defined report with a resolution was requested to ensure council is not making decisions “on the fly.” Believed that staff needed to gain a better understanding of what was being proposed. The tabling motion failed after the vote.

A final vote on the main motion as amended was cast and it failed.

DISCUSSION

Council appears to be hesitant with this development and reluctant to grant approval as the application has altered since the agent first met with PAC on March 5, 2018. The request to permit for cultivation on the site was concerning to council. There also seems to be a disconnect and misunderstanding between the terms “licensed producer” and “licensed dealer” by certain council members. It is understood that licenses for producers and dealers are different under Health Canada and serve different functions. It is critical these two terms are understood and that they are not used interchangeably. Council wants to ensure effective parameters are put in place (IE. explicit wording in the zoning by-law) in order to prevent the production or selling of cannabis on the site and regulate the scale of the facility as a permitted use.

If you have any questions, please do not hesitate to contact me.

Yours truly,

A handwritten signature in cursive script that reads "S. Legere".

Shawn Legere, MCIP, RPP
RFA Planning Consultant Inc.

SL/DB

May 25th, 2019

RE: Physical Security Requirements of the *Cannabis Regulations* SOR/2018-144

This document outlines the physical security requirements enforced under the *Cannabis Act* and *Cannabis Regulations*, which provides the framework for legal access to cannabis and the control and regulation of its production, distribution and sale. Part 4 of the *Cannabis Regulations* sets out physical security measures that are required and are necessary to secure sites where licence holders conduct activities with cannabis. Physical security requirements must be met for federal licences for micro- and standard cultivation, nursery, micro- and standard processing, sale for medical purposes, analytical testing, and research.

Licence holders for **standard processing** must meet the following strict requirements for physical barriers, intrusion detection, restricted access and visual surveillance as required under Part 4 of the *Cannabis Regulations* in order to be issued a cannabis licence by Health Canada.

Site Design	Section	Description
Site Design	63	The site must be designed in a manner that prevents unauthorized access.
Perimeter of Site	Section	Description
Visual Monitoring	64(1)	The perimeter of the site must be monitored at all times by visual recording devices to detect any attempted or actual unauthorized access to the site.
Visual Recording devices	64(2)	The devices must, in the conditions under which they are used, be capable of making a visible recording of any attempted or actual unauthorized access.
Intrusion detection system	65	The perimeter of the site must be secured by means of an intrusion detection system that operates at all times and that allows for the detection of any attempted or actual unauthorized access to the site and any attempted or actual tampering with the system.
Monitoring and response	66(1)	The intrusion detection system referred to in section 65 must be monitored at all times.
Appropriate measures	66(2)	The holder of the licence must determine the appropriate measures to be taken if any occurrence referred to in section 65 is detected.
Record of detected occurrences	66(3)	If any such occurrence is detected, the holder of the licence must ensure that a document is retained that contains the following information: a) the date and time of the occurrence; and b) the measures taken in response to it and the date and time when they were taken.

**Operations Areas
and Storage Areas**

	Section	Description
Location of storage Area	67	Each storage area must be located within an area that satisfies the security measures set out in subsection 68(1), section 69, subsections 70(1) and (3), subsection 71(1) and section 72
Restricted access	68(1)	Access to each operations area and storage area must be restricted to individuals whose presence in the area is required by their duties.
Record — storage area	68(2)	A record must be maintained of the identity of every individual entering or exiting a storage area.
Physical barrier	69	Each operations area and storage area must be surrounded by a physical barrier that prevents unauthorized access.
Visual monitoring	70(1)	Each operations area and storage area must be monitored at all times by visual recording devices to detect illicit conduct.
Exception — grow area	70(2)	(2) For a grow area, only the entry and exit points of the area must be monitored by the devices.
Visual recording devices	70(3)	The devices must, in the conditions under which they are used, be capable of making a visible recording of any illicit conduct.
Intrusion detection system	71(1)	Each operations area and storage area must be secured by means of an intrusion detection system that operates at all times and that allows for the detection of any attempted or actual unauthorized access to the area, any unauthorized movement in the area and any attempted or actual tampering with the system.
Exception — grow area	71(2)	The intrusion detection system is not required to detect unauthorized movement in a grow area.
Monitoring and response	72(1)	The intrusion detection system referred to in section 71 must be monitored at all times.
Appropriate measures	72(2)	The holder of the licence must determine the appropriate measures to be taken if any occurrence referred to in section 70 or 71 is detected.
Record of detected occurrences	72(3)	If any such occurrence is detected, the holder of the licence must ensure that a document is retained that contains the following information: a) the date and time of the occurrence; and b) the measures taken in response to it and the date and time when they were taken.
Retention	73	A holder of a licence referred to in subsection 62(1) must retain: a) a visual recording made under section 64 or 70 for at least one year after the day on which it is made; b) a document referred to in subsection 66(3) or 72(3) for at least two years after the day on which it is prepared; and c) the information in the record referred to in subsection 68(2) for at least two years after the day on which the information is recorded.

Therefore, as outlined in this letter, Part 4 of the *Cannabis Regulations* establishes requirements pertaining to physical security measures, in order to ensure that a licence holder's site is adequately secured and safeguarded at all times to protect public safety and to minimize the risks of diversion.

Note that a fence is not a physical security requirement under the *Cannabis Regulations*, rather it is up to the licence holder to indicate the proposed perimeter of the site such as the exterior building walls, a fence, or by any other means taking into consideration the appropriateness of the chosen measures for the site. For example, physical security measures such as including long-range motion detectors and weatherproof cameras with video analytics to detect unauthorized access to the site, flood lights for increased visibility of the site perimeter, or use of a night guard may be applied to circumvent the need for a fence. As such, the current fence plan for 250 Sydney Street, Belleville, Ontario is adequate since a perimeter fence is not required by Health Canada and instead other physical security measures will be put in place as per the *Cannabis Regulations* prior to issuance of a cannabis licence.

CannDelta Inc. is a cannabis regulatory and scientific consulting company founded and led by former Health Canada officials in key positions (Sherry Boodram, PhD and Lucas C. McCann, PhD), with a primary focus on preparing cannabis licensing applications and providing guidance through the regulatory framework of the Canadian cannabis industry. Of note, I, Dr. Sherry Boodram was employed by Health Canada/Government of Canada for 7 years (leaving in May 2017) and specifically worked in the Medical Cannabis Program as a Senior Compliance and Enforcement Officer where I was responsible for reviewing cannabis licensing applications and conducting on-site inspections of applicants and Licensed Producers in Ontario under the former *Marihuana for Medical Purposes Regulations* (MMPR) and former *Access to Cannabis for Medical Purposes Regulations* (ACMPR). I was also involved in providing feedback on the draft *Cannabis Regulations* that is currently enacted. As such, I am very well-versed in Health Canada's cannabis regulatory requirements and compliance related to cannabis facilities and activities.

CannDelta Inc. is committed to working diligently with their clients as well as with all municipalities to ensure the necessary licensing requirements are met for proposed facilities and activities, and that zoning approvals are processed as quickly as possible to support cannabis licensing applications.

Please feel free to contact us should you have any questions or require additional information.

Warm regards,

A handwritten signature in black ink, appearing to read 'Sherry Boodram', followed by a period.

Sherry Boodram, Ph.D. (CEO, CannDelta Inc.)

250 SIDNEY STREET EXISTING FENCING & LIGHTING CONDITIONS



B-77-1076
May 1, 2019

Existing Fencing Conditions

LEGEND

- EXISTING BUILDING FOOTPRINT
- EXISTING 1.2m HIGH CHAIN LINK FENCE
- EXISTING 1.8m HIGH CHAIN LINK FENCE
- EXISTING 2.4m HIGH CHAIN LINK FENCE
- EXISTING 3.0m HIGH CHAIN LINK FENCE
- EXISTING 3.0m HIGH METAL CLADDING WALL
- EXISTING GATE

NOTE:
CHAIN LINK FENCE HEIGHTS
ARE APPROXIMATE.

SUBJECT
PROPERTY

250 SIDNEY STREET

GROSS FLOOR AREA: 25,845m²








PROPOSED
CANNABIS
PROCESSING
FACILITY
5,574m²
(60,000ft²)

PLANTING/
HEDGE
SCREENING

SIDNEY STREET

Existing Fencing Conditions - Key Plan

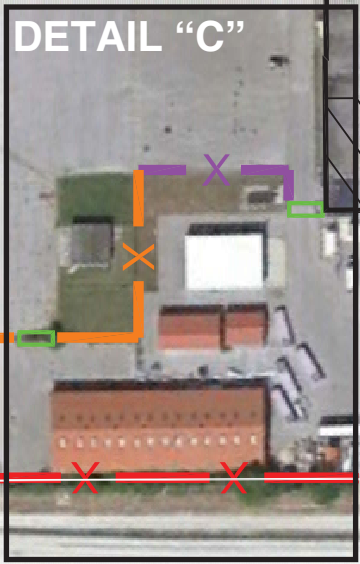
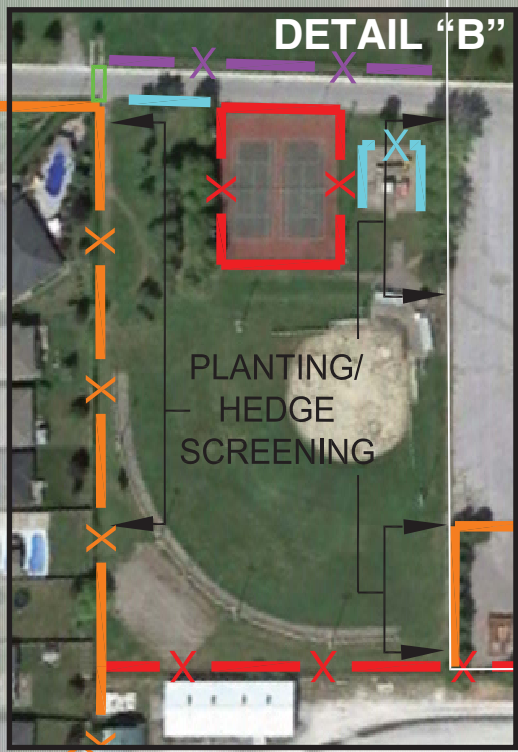
LEGEND

-  EXISTING BUILDING FOOTPRINT
-  EXISTING 1.2m HIGH CHAIN LINK FENCE
-  EXISTING 1.8m HIGH CHAIN LINK FENCE
-  EXISTING 2.4m HIGH CHAIN LINK FENCE
-  EXISTING 3.0m HIGH CHAIN LINK FENCE
-  EXISTING 3.0m HIGH METAL CLADDING WALL
-  EXISTING GATE

NOTE:
CHAIN LINK FENCE HEIGHTS ARE APPROXIMATE.



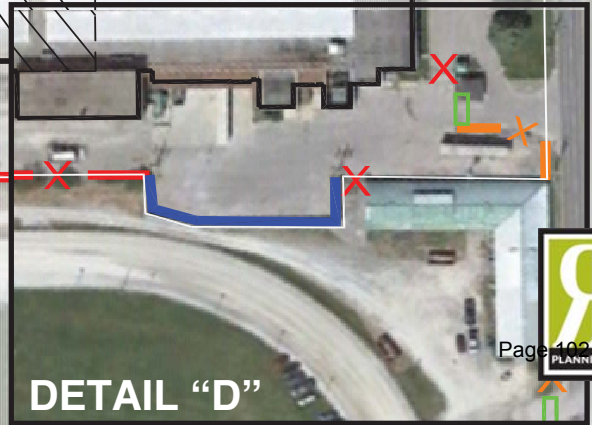
SUBJECT PROPERTY



250 SIDNEY STREET
GROSS FLOOR AREA: 25,845m²

PROPOSED
CANNABIS
PROCESSING
FACILITY
5,574m²
(60,000ft²)

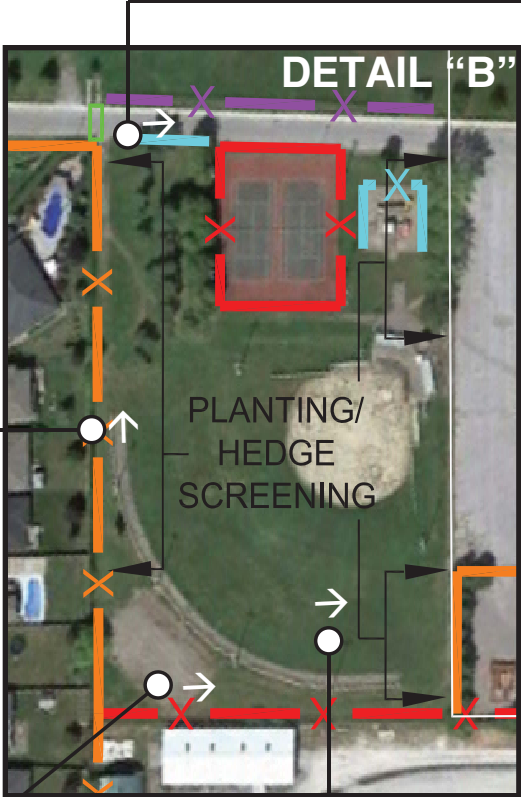
SIDNEY STREET



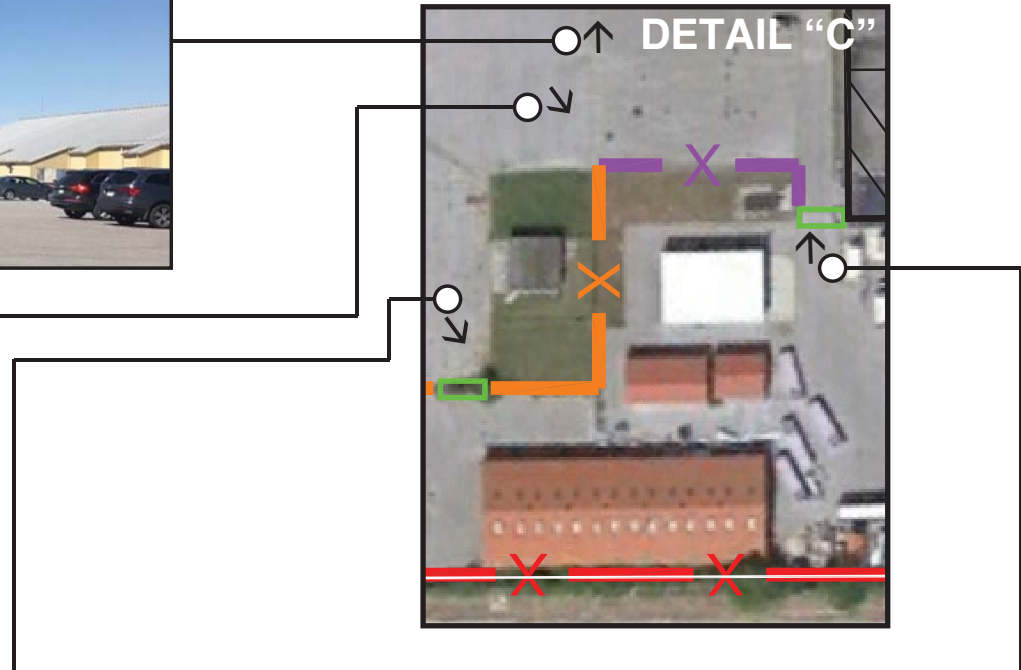
Existing Fencing - Detail "A"



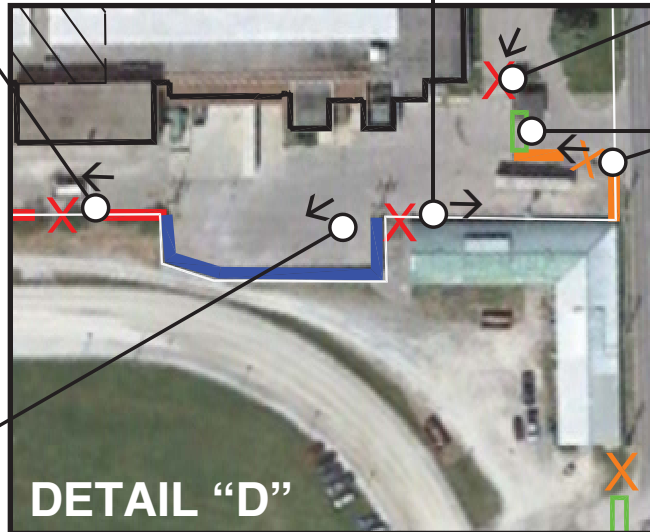
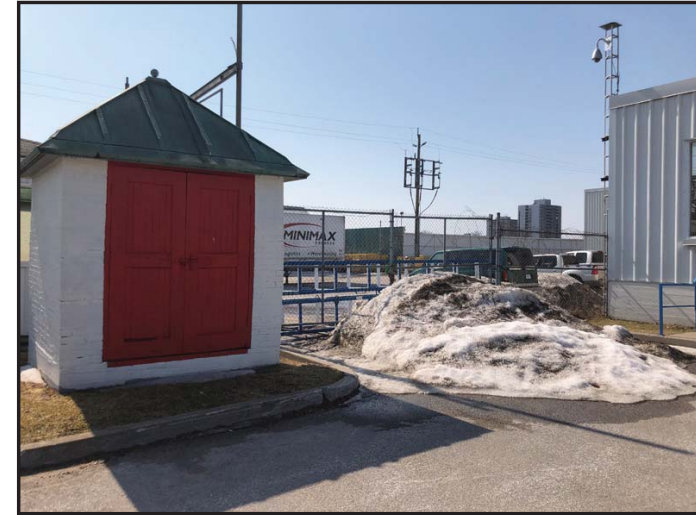
Existing Fencing - Detail "B"



Existing Fencing - Detail "C"

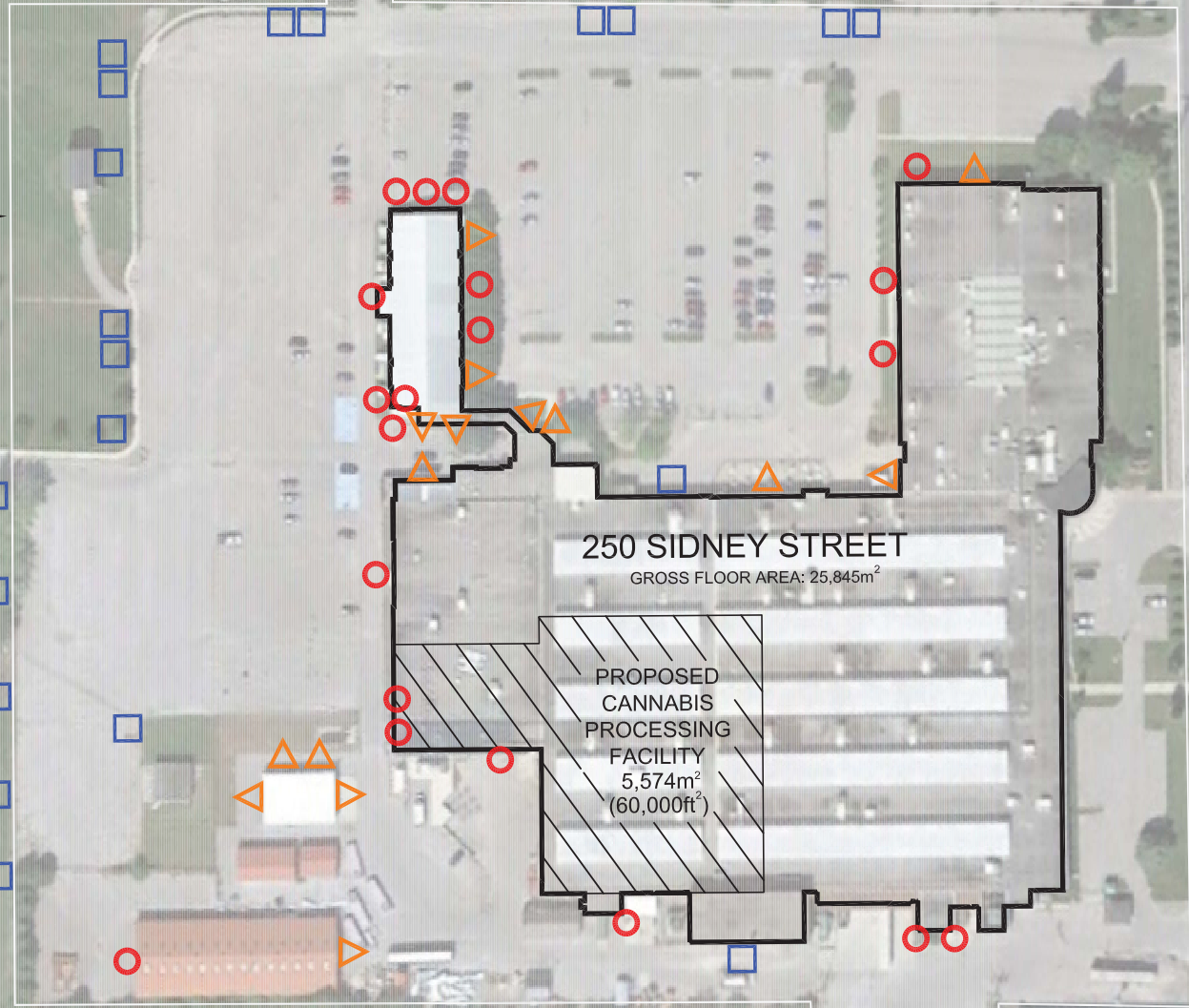


Existing Fencing - Detail "D"



Existing Lighting Conditions

SUBJECT
PROPERTY



LEGEND

- EXISTING BUILDING FOOTPRINT
- FLOODLIGHT*
- FULL CUT-OFF LIGHT**
- SEMI-FLUSH MOUNT LIGHT***

NOTE:

* LIGHT FIXTURE POINTED OUTWARDS.

** LIGHT FIXTURE POINTED DIRECTLY AT THE GROUND.

*** LIGHT MOUNTED ON THE BUILDING'S EXTERIOR.



Existing Floodlight Examples



Existing Cut-Off Light Examples



Existing Semi-Flush Mount Light Examples



National Cannabis Survey, first quarter 2019

Released at 8:30 a.m. Eastern time in *The Daily*, Thursday, May 2, 2019

About 5.3 million or 18% of Canadians aged 15 years and older reported using cannabis in the last three months. This was higher than the 14% who reported using just one year earlier, before legalization.

The increase in cannabis use between the first quarters of 2018 and 2019 can be partly explained by greater use among males and people aged 45 to 64. For example, rates of cannabis consumption for males increased from 16% to 22% over this period, while rates rose from 9% to 14% for persons aged 45 to 64. Levels of consumption remained stable for females, at 13%, and were unchanged for persons in the other age groups (such as young people under 25 and seniors).

At the provincial level, there was minimal change in rates of cannabis consumption between the first quarters of 2018 and 2019, with the exception of Ontario where prevalence increased from 14% to 20%.

The National Cannabis Survey (NCS), which was designed to monitor cannabis consumption and related behaviours before and after legalization, has collected data every three months since February 2018. Today's release features the first Canada-wide results entirely in the post-legalization period, including changes in consumption and sources of cannabis, as well as beliefs about when it is safe to drive after using.

Number of new cannabis users increasing

More Canadians began to use cannabis in the first quarter of 2019. Some of these new cannabis consumers were first-time users, while others were former cannabis users who tried cannabis again post-legalization.

During the first quarter, 646,000 cannabis users reported trying cannabis for the very first time in the past three months. This number of first-time users was nearly double the corresponding estimate of 327,000 people one year earlier, when non-medical cannabis use was not yet legal.

Results suggest that first-time users in the post-legalization period are older. Half of new users were aged 45 or older, while in the same period in 2018, this age group represented about one-third of new users.

Males and young Canadians remain more likely to consume cannabis

While early indications suggest an increase in cannabis use in the period immediately following legalization, many other aspects of cannabis use appear to be unchanged. For example, cannabis use continued to be higher among males (22%) than females (13%). Use also remained more common among 15- to 24-year-olds (30%) than among people aged 25 and older (16%).

More cannabis users report obtaining cannabis from legal sources; fewer from illegal sources

Initial data indicate that Canadians are changing the source from which they obtain cannabis. In the first three months of 2019, a greater proportion of users reported obtaining cannabis from legal sources compared with the first quarter of 2018. An estimated 47% of cannabis users or 2.5 million Canadians obtained cannabis from legal sources in the first three months of 2019, compared with 23% or 954,000 people over the same period in 2018, when non-medical cannabis use was not yet legal. Examples of legal sources of cannabis include authorized retailers and online licensed producers.

Fewer users reported obtaining cannabis from illegal sources (such as a dealer) in the first three months of 2019 (38%) compared with the first quarter of 2018 (51%). A similar decrease was noted for the proportion reporting friends or family as a source (47% to 37%).



Some users obtained cannabis from multiple sources, which could have included both legal and illegal sources. During the first quarter of 2019, obtaining cannabis from multiple types of sources was more common among daily or almost daily users (33%) than among those who used occasionally (once or twice) (14%). Results also indicate that cannabis consumers who began using in the past three months were less likely to obtain cannabis from an illegal source (23%) compared with other users (40%).

Daily or almost daily cannabis use remains unchanged, while weekly and occasional use increases

Current cannabis consumption, regardless of frequency of use, is one of several indicators which can be used to monitor changes in cannabis use behaviours over time. Higher frequency cannabis use, typically defined as daily or almost daily consumption, is often regarded as a more informative indicator of the impact of legalization, due to its association with the risk of addiction, poor mental health, and lower academic achievement.

After legalization, 6% of Canadians aged 15 and older or nearly 1.8 million people reported using cannabis on a daily or almost daily basis. Another 4% reported using weekly, 2% monthly and 6% just once or twice in the last three months. Comparisons with the first quarter of 2018 (pre-legalization) suggest daily and monthly use remained stable, whereas weekly use increased (from 2% to 4%), as did occasional use (from 4% to 6%).

Ongoing monitoring will be required to determine whether changes (or alternatively, stability) in user status observed in the period immediately following the implementation of the *Cannabis Act* are temporary (and related to a desire to try a previously illegal substance) or the beginning of longer-term trends.

Patterns of consumption varied by both age and gender. Daily or almost daily cannabis consumption was more common among 15-to-24 year-old Canadians (10%) than among those aged 25 and older (6%). Males were more likely than females to be daily or almost daily users (8% versus 5%). These estimates remained unchanged from the first quarter of 2018 for both gender and age groups.

While many of the harms associated with cannabis pertain to daily or almost daily consumption, less frequent users can still engage in risky behaviour such as consuming cannabis and getting behind the wheel of a motor vehicle.

Almost half of Canadians believe people should wait at least three hours to drive after using cannabis

Safety concerns remain about whether legalization of cannabis will increase incidents of cannabis-impaired driving. The main source of information on drug-impaired driving comes from official police-reported statistics.

While the NCS does not directly measure impaired driving, questions about perceptions and behaviours related to driving after cannabis use have been included in the survey to provide a fuller statistical picture of this phenomenon.

Nearly half (49%) of Canadians think that an individual should wait at least three hours before operating a motor vehicle after using cannabis. A relatively small share of the population (6%) believe that it is safe to do so within three hours. The remainder of Canadians (45%) think that other factors, such as a person's weight or the method of consumption, determine when it is safe to drive after using.

Beliefs about when it is safe to drive after consuming differed by gender and the person's cannabis use experience. By a slim margin, males (7%) were more likely than females (5%) to think that it was safe to drive within three hours of consuming cannabis.

In addition, daily and almost daily cannabis consumers were more than twice as likely as other Canadians to believe that it was safe to drive within three hours of consuming. About 18% of daily users reported this belief, while the same was true for 7% of other current users, 5% of former users, and 4% for those who have never consumed cannabis.

Beliefs about when it is safe to drive after consuming cannabis are reflected in behaviour

Overall, 15% of cannabis users with a valid driver's license reported driving within two hours of consuming cannabis, according to combined data from the fourth quarter of 2018 and the first quarter of 2019. This was unchanged from the first half of 2018.

Perceptions of when it is safe to drive were linked to the likelihood of driving within two hours of consuming cannabis. Among cannabis consumers who felt it was safe to drive soon after using, 36% drove within two hours. Driving soon after cannabis consumption was far less common among those who believed driving is only safe after three hours (2%). Driving within two hours of cannabis use was also less prevalent among those who believed that other factors, such as weight and mode of consumption, should be considered in determining the capacity to drive (19%).

An estimated 4% of (or 1.1 million) Canadians aged 15 years and older reported being a passenger in a vehicle operated by a driver who had consumed cannabis within two hours. Similar to operating a motor vehicle, getting into a vehicle with a driver who had consumed cannabis was more common among those who felt it was safe to drive within three hours of consuming cannabis (20%), compared with those who felt that at least three hours should pass (2%) or that other factors were relevant (7%).

Risk-taking behaviours are often related. Results show that 57% of people who had driven a vehicle within two hours of using cannabis also reported being passengers in vehicles operated by drivers who had consumed within two hours.

For the first time, it is possible to look at the co-use of alcohol with cannabis. Consuming both substances is considered to be a particularly risky combination while operating a motor vehicle. Close to 20% of those who reported driving after consuming cannabis indicated that they had also consumed alcohol. This represents about 123,000 people, or 3% of cannabis users with a valid driver's license.

More than half a million workers reported using cannabis before heading to work or while on the job

In addition to operating a motor vehicle soon after consuming cannabis, the risk of harms associated with use may be present in the workplace. An estimated 13% (about 514,000) of Canadian workers who are current cannabis users consumed cannabis before or during work. This is based on combined data from the fourth quarter of 2018 and first quarter of 2019. While the likelihood of engaging in this potentially dangerous behaviour did not differ by age or gender, it did vary by cannabis use frequency. Over one-quarter (27%) of daily or almost daily consumers reported using before or while at work, compared with 7% of other cannabis consumers.

Note to readers

The Cannabis Act (C-45) became law on October 17, 2018. To prepare for this change, Statistics Canada has been adapting the national statistical system to measure the social and economic impacts of legalized cannabis.

Statistics Canada has been conducting the National Cannabis Survey (NCS) every three months (quarterly) since February 2018. The main objective of the NCS is to monitor changes in cannabis-related behaviours during the period preceding and following legalization on October 17, 2018, of non-medical cannabis use by adults.

This release features the first Canada-wide results entirely in the post-legalization period, including changes in consumption and sources of cannabis, as well as beliefs about when it is safe to drive after using. The NCS falls under the 'Rapid Stats' program being offered by the Centre for Social Data Integration and Development Division of Statistics Canada, to rapidly respond to pressing data needs.

The 2019 first quarter data were collected in the provinces in February and March. For 2018, first quarter data were collected in February and March (provinces only), the second quarter data were collected in May and June (provinces and territorial capitals), the third quarter data were collected in August and September (provinces only), while the fourth quarter data were collected in November and December (provinces only).

The target population for the survey is the household population aged 15 years or older and excludes residents of institutions, the homeless and people living on indigenous reserves.

The 2019 first quarter survey response rate 50.6%, yielding a sample of 5,686. Response rates were similar throughout 2018 (50.4% in the fourth quarter, 51.6% in the third quarter, 51.3% in the second quarter, and 51.2% in the first quarter) and correspond to samples of 5,684, 5,798, 7,285, and 5,817.

Cannabis includes marijuana, hashish, hash oil or any other preparation of the cannabis plant.

Data on **current, former and no (never) cannabis use** are based on responses to the following questions: "During the past three months, how often did you use cannabis?" and "Have you ever used or tried cannabis?" Current cannabis users were also classified according to how frequently they used cannabis in the three months before they were interviewed: once or twice (referred to as less than monthly), monthly, weekly, or daily or almost daily.

Data on respondents who **began using cannabis in the past three months** are based on responses to the following question: "Did you start using cannabis in the past three months?"

Data on the **source of cannabis** are based on responses to the following question: "In the past three months, where did you get the cannabis you used?" Eleven response categories were provided and reduced to 5 for this analysis: 1) Grow – I grow or someone else grows; 2) Legal – authorized retailer or online from a licensed producer; 3) Illegal – Compassion club, dispensary or storefront, online from another source, acquaintance, or dealer; 4) Friends or family – family member or friend or shared around a group of friends; 5) Other.

Data on **beliefs about when it is safe to drive after using cannabis** are based on responses to the following question: "As far as you know, when is it safe for someone to drive a motor vehicle after using cannabis?" Nine response categories were provided and reduced to three for this analysis: 1) Within three hours – immediately, 30 minutes to just under 1 hour or 1 hour to just under 3 hours; 2) 3 hours or above – 3 hours to just under 5 hours, 5 hours to just under 7 hours, 7 hours to 8 hours or more than 8 hours; 3) Other – depends on each person, weight, quantity and method of consumption or other.

Survey sampling weights were applied so that the analyses would be representative of the Canadian population.

All differences between characteristics and the comparison groups discussed are statistically significantly at the $p < 0.05$ and were tested using t-test statistics and bootstrap replicate weights to account for the survey's complex sampling design.

Data limitations and cautions

The information in this release is self-reported and has not been validated. Social desirability and fear of punishment, both of which are potential sources of bias, may be especially relevant to this analysis. Changes over time in respondents' willingness to admit drug use may be influencing the statistics but remains difficult to measure.

The majority of the cannabis use questions from the first quarter of 2019 reference a three-month period following the enactment of the Cannabis Act (C-45). The 2018 fourth quarter data were also collected after the enactment of the Cannabis Act (C-45), but most of its cannabis use questions reference a three-month period preceding the survey interview which could have included days occurring prior to legalization (October 17, 2018) in addition to those occurring after.

Small sample sizes for some analyses may also have reduced the ability to reach statistical significance. Combining cycles and averaging results across quarters can improve statistical power and the stability of the estimates. As well, not all relevant covariates were available and it was sometimes necessary to use broader categories than would have been desirable.

Additional information

For more information regarding cannabis statistics, consult the [Cannabis Stats Hub](#).

Statistics Canada is collecting information on cannabis prices through a crowdsourcing site, [StatsCannabis](#). Please visit the site and share your information with confidence; participation is anonymous.

For other information on cannabis, see

- [Cannabis in Canada—Get the facts](#)
- [Cannabis market data](#)
- [Impaired driving and impaired driving laws](#).

Table 1**Number and percentage of people reporting cannabis use in the past three months by quarter, gender, age group and province, household population aged 15 years or older, Canada, first quarter 2018 and first quarter 2019**

	People		95% confidence interval ⁷	
	thousands	%	lower limit (%)	upper limit (%)
First quarter 2019				
Canada	5,306.0	17.5 ²	16.1	19.0
Gender				
Female ¹	1,937.7	12.7	11.0	14.5
Male	3,321.0	22.3 ^{2,3}	20.0	24.8
Age group				
15 to 24 ¹	1,072.0	29.5	23.5	36.2
25 to 44	2,592.1	24.2	21.5	27.1
45 to 64	1,370.1	14.0 ^{2,4}	11.9	16.3
65 or older	271.8	4.4 ⁴	3.3	6.0
25 or older	4,234.0	15.9 ^{2,4}	14.5	17.4
Province				
Newfoundland and Labrador	81.0	18.5	14.6	23.2
Prince Edward Island	19.5	15.4	11.7	19.9
Nova Scotia	144.3	18.2	13.9	23.4
New Brunswick	113.9	18.2	14.2	23.1
Quebec	770.5	11.0 ⁵	8.8	13.8
Ontario	2,388.9	20.0 ^{2,6}	17.2	23.2
Manitoba	132.6	13.0 ⁵	9.7	17.2
Saskatchewan	138.2	15.7	12.5	19.4
Alberta	749.8	21.5 ⁶	17.6	26.0
British Columbia	767.4	19.1	15.6	23.1
First quarter 2018				
Canada	4,178.8	14.0	12.7	15.4
Gender				
Female ¹	1,842.2	12.2	10.6	14.1
Male	2,319.8	15.8 ³	13.9	17.9
Age group				
15 to 24 ¹	815.7	23.2	17.0	30.8
25 to 44	2,252.1	21.4	19.0	24.1
45 to 64	871.0	8.8 ⁴	7.4	10.6
65 or older	240.0	4.0 ⁴	2.9	5.5
25 or older	3,363.2	12.8 ⁴	11.6	14.1
Province				
Newfoundland and Labrador	72.3	16.4	12.6	21.1
Prince Edward Island	17.4	14.1	10.3	18.9
Nova Scotia	158.1	20.0 ⁶	15.5	25.5
New Brunswick	88.9	14.3	10.3	19.5
Quebec	712.0	10.4 ⁵	8.2	13.0
Ontario	1,583.3	13.5	11.2	16.3
Manitoba	168.5	16.6	13.0	21.0
Saskatchewan	132.4	15.1	11.8	19.2
Alberta	570.9	16.6	13.2	20.6
British Columbia	675.0	17.1	13.9	20.9

1. Reference category.

2. Significantly higher than corresponding estimate from the first quarter of 2018.

3. Significantly higher than reference category.

4. Significantly lower than reference category.

5. Significantly lower than the rest of Canada.

6. Significantly higher than the rest of Canada.

7. Confidence intervals are used to express the precision of the estimate.

Source(s): National Cannabis Survey (5262).

Table 2

Number and percentage of cannabis users reporting that they began using cannabis in the past three months by gender and age, household population aged 15 years or older, Canada, first quarter 2018 and first quarter 2019

	People		95% confidence interval ⁴	
	thousands	%	lower limit (%)	upper limit (%)
First quarter 2019				
Canada	645.6	12.2	9.5	15.5
Gender				
Female ¹	283.6	14.7 ^{E 2}	10.1	20.9
Male	362.0	10.9 ^E	7.8	15.0
Age group				
15 to 24	F	F	...	...
25 to 44	240.9	9.3 ^{E 3}	6.3	13.5
45 or older ¹	331.7	20.3 ²	14.5	27.7
First quarter 2018				
Canada	327.0	7.8 ^E	5.1	11.9
Gender				
Female ¹	138.6	7.5 ^E	4.2	13.1
Male	188.4	8.1 ^E	4.3	14.7
Age group				
15 to 24	F	F	...	...
25 to 44	121.2	5.4 ^E	2.9	9.9
45 or older ¹	104.8	9.4 ^E	5.8	14.9

... not applicable

^E use with caution

^F too unreliable to be published

1. Reference category.

2. Significantly higher than corresponding estimate from the first quarter of 2018.

3. Significantly lower than reference category.

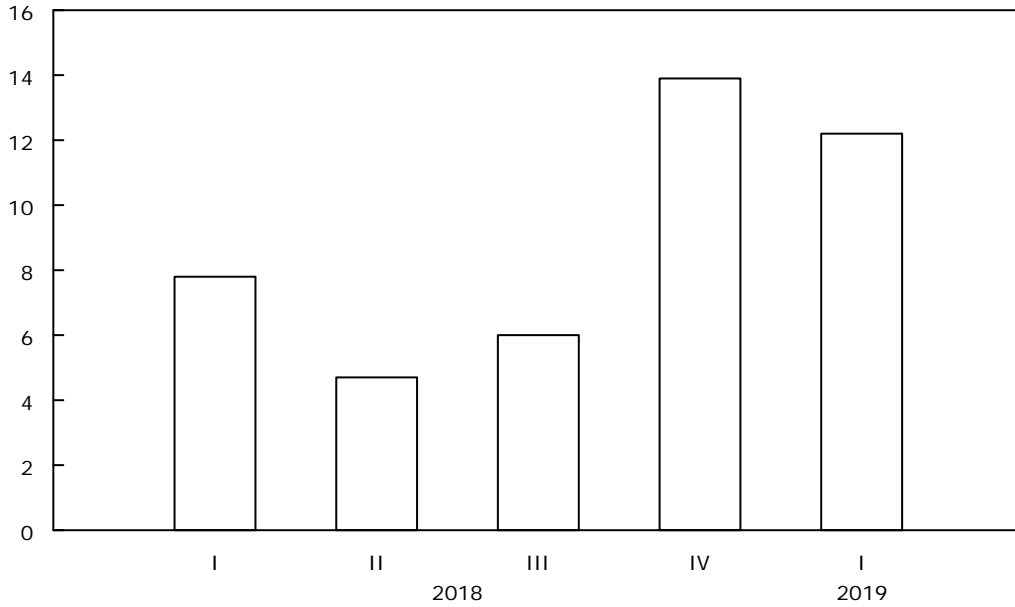
4. Confidence intervals are used to express the precision of the estimate.

Source(s): National Cannabis Survey (5262).

Chart 1

Percentage of cannabis users reporting that they began using cannabis in the past three months by quarter, household population aged 15 years or older, Canada, first quarter 2018 to first quarter 2019

%



Note(s): The statistically significant ($p < 0.05$) linear trend showing an increase in the percentage of cannabis users who reported starting using in the past three months was assessed using a logistic regression—containing the percentage of new users by each National Cannabis Survey quarter.

Source(s): National Cannabis Survey (5262).

Table 3

Number and percentage of cannabis users reporting obtaining cannabis in the past three months from different sources, household population aged 15 years or older, Canada, first quarter 2018 and first quarter 2019

	People		95% confidence interval ³	
	thousands	%	lower limit (%)	upper limit (%)
First quarter 2019				
Grow	477.2	9.0 ^E	6.4	12.6
Legal	2,500.6	47.4 ¹	42.6	52.2
Illegal	2,010.8	38.1 ²	33.7	42.7
Friends or family	1,954.5	37.0 ²	32.4	41.9
Other	191.4	3.6 ^E	2.2	6.0
First quarter 2018				
Grow	333.4	8.0 ^E	5.6	11.3
Legal	953.9	22.9	18.8	27.6
Illegal	2,136.4	51.3	46.1	56.5
Friends or family	1,959.2	47.0	41.8	52.4
Other	151.7	3.6 ^E	2.4	5.5

^E use with caution

1. Significantly higher than corresponding estimate from the first quarter of 2018.

2. Significantly lower than corresponding estimate from the first quarter of 2018.

3. Confidence intervals are used to express the precision of the estimate.

Note(s): Respondents could select more than one category and therefore columns do not add to 100%.

Source(s): National Cannabis Survey (5262).

Table 4

Frequency of cannabis use among past-three-month users, by gender and age group, household population aged 15 or older, Canada, first quarter 2018 and first quarter 2019

	People		95% confidence interval ⁴	
	thousands	%	lower limit (%)	upper limit (%)
First quarter 2019				
Total				
Once or Twice	1,754.9	5.8 ¹	4.9	6.8
Monthly	627.1	2.1	1.5	2.8
Weekly	1,086.0	3.6 ¹	2.9	4.5
Daily or almost daily	1,838.1	6.1	5.2	7.1
Gender				
Females				
Once or Twice	778.6	5.1	4.0	6.4
Monthly	200.2	1.3 ^{E 2}	0.8	2.2
Weekly	264.0	1.7 ^{E 2}	1.2	2.5
Daily or almost daily	694.9	4.5 ²	3.6	5.8
Males				
Once or Twice	956.9	6.4 ¹	5.1	8.1
Monthly	421.3	2.8 ^E	1.9	4.2
Weekly	806.1	5.4 ¹	4.1	7.1
Daily or almost daily	1,136.7	7.6	6.2	9.3
Age group				
15 to 24				
Once or Twice	377.2	10.4 ^E	6.8	15.5
Monthly	160.5	4.4 ^E	2.3	8.2
Weekly	F	F	...	...
Daily or almost daily	357.0	9.8 ^E	6.4	14.7
25 or older				
Once or Twice	1,377.7	5.2 ^{1 3}	4.3	6.1
Monthly	466.6	1.8 ^E	1.2	2.5
Weekly	908.6	3.4 ¹	2.7	4.3
Daily or almost daily	1,481.1	5.6 ³	4.7	6.5
First quarter 2018				
Total				
Once or Twice	1,267.5	4.3	3.5	5.2
Monthly	572.7	1.9	1.4	2.6
Weekly	718.5	2.4	1.9	3.1
Daily or almost daily	1,620.0	5.4	4.6	6.3
Gender				
Females				
Once or Twice	655.9	4.4	3.3	5.7
Monthly	240.6	1.6 ^E	1.0	2.5
Weekly	242.3	1.6 ^{E 2}	1.1	2.3
Daily or almost daily	703.5	4.7	3.6	6.0
Males				
Once or Twice	611.7	4.2	3.2	5.5
Monthly	332.1	2.3 ^E	1.5	3.4
Weekly	475.6	3.2	2.3	4.5
Daily or almost daily	900.5	6.1	5.0	7.5
Age group				
15 to 24				
Once or Twice	239.3	6.8 ^E	3.8	11.9
Monthly	198.4	5.6 ^E	3.0	10.4
Weekly	F	F	...	...
Daily or almost daily	268.3	7.6 ^E	4.7	12.2
25 or older				

Table 4**Frequency of cannabis use among past-three-month users, by gender and age group, household population aged 15 or older, Canada, first quarter 2018 and first quarter 2019**

	People		95% confidence interval ⁴	
	thousands	%	lower limit (%)	upper limit (%)
Once or Twice	1,028.2	3.9	3.2	4.8
Monthly	374.3	1.4 ^{E 3}	1.0	2.0
Weekly	608.9	2.3	1.8	2.9
Daily or almost daily	1,351.7	5.1	4.4	6.0

... not applicable

E use with caution

F too unreliable to be published

1. Significantly higher than corresponding estimate from the first quarter of 2018.

2. Significantly lower than corresponding estimate for males.

3. Significantly lower than corresponding estimate for 15 to 24 year olds.

4. Confidence intervals are used to express the precision of the estimate.

Source(s): National Cannabis Survey ([5262](#)).

Table 5

Number and percentage of people reporting when they believe it is safe to drive after consuming cannabis by gender, age group and cannabis use experience, household population aged 15 years or older, Canada, first quarter 2019

	People		95% confidence interval ⁴	
	thousands	%	lower limit (%)	upper limit (%)
Total				
Within 3 hours	1,382.2	5.6	4.7	6.6
After 3 or more hours	12,177.8	49.1	46.9	51.2
Other	11,253.7	45.4	43.2	47.6
Gender				
Female¹				
Within 3 hours	557.1	4.6	3.5	6.0
After 3 or more hours	5,779.3	47.4	44.4	50.3
Other	5,868.9	48.1	45.0	51.1
Male				
Within 3 hours	822.4	6.6 ²	5.3	8.2
After 3 or more hours	6,366.6	50.9	47.7	54.0
Other	5,322.9	42.5 ³	39.5	45.7
Age group				
15 to 24¹				
Within 3 hours	162.4	4.8 ^E	2.6	8.7
After 3 or more hours	1,557.3	46.0	38.8	53.4
Other	1,664.3	49.2	42.0	56.4
25 or older				
Within 3 hours	1,219.8	5.7	4.8	6.8
After 3 or more hours	10,620.5	49.6	47.3	51.8
Other	9,589.3	44.7	42.5	47.0
User status				
Never				
Within 3 hours	472.6	3.8 ³	2.9	5.1
After 3 or more hours	6,566.4	53.2 ²	50.1	56.3
Other	5,303.4	43.0 ³	39.9	46.1
Former				
Within 3 hours	348.0	4.7 ³	3.4	6.4
After 3 or more hours	3,834.4	51.5 ²	47.9	55.1
Other	3,264.7	43.8 ³	40.3	47.4
Current (past 3 months)				
Less than daily or almost daily				
Within 3 hours	237.8	7.3 ^{E 3}	4.9	10.7
After 3 or more hours	1,367.8	42.0 ²	35.8	48.4
Other	1,653.9	50.7	44.5	57.0
Daily or almost daily¹				
Within 3 hours	314.2	18.0 ^E	12.5	25.2
After 3 or more hours	399.5	22.9	16.6	30.7
Other	1,031.0	59.1	50.3	67.3

^E use with caution

1. Reference category.
2. Significantly higher than reference category.
3. Significantly lower than reference category.
4. Confidence intervals are used to express the precision of the estimate.

Note(s): The "other" category includes: weight, quantity and method of consumption.

Source(s): National Cannabis Survey (5262).

Table 6

Number and percentage of people driving a vehicle within two hours of having consumed cannabis, by selected characteristics and beliefs about driving after cannabis consumption, household population aged 15 years or older, Canada, combined fourth quarter 2018 and first quarter 2019

	People		95% confidence interval ⁴	
	thousands	%	lower limit (%)	upper limit (%)
Total	674.9	14.7	12.3	17.5
Consumed both cannabis and alcohol	122.7	2.7 ^E	1.8	3.9
Gender				
Females ¹	154.7	9.5 ^E	6.6	13.5
Males	513.2	17.5 ²	14.2	21.4
Age group				
15 to 24	126.4	13.9 ^E	8.1	22.8
25 or older ¹	548.5	14.9	12.4	17.8
Province				
Newfoundland and Labrador	F	F	...	...
Prince Edward Island	3.9	19.4 ^E	11.3	31.2
Nova Scotia	24.0	16.4 ^E	9.5	26.7
New Brunswick	12.4	12.1 ^E	6.8	20.5
Quebec	123.5	15.9 ^E	10.6	23.0
Ontario	232.6	11.9 ^E	7.9	17.4
Manitoba	21.6	15.5 ^E	9.6	24.2
Saskatchewan	25.0	18.3 ^E	12.0	27.0
Alberta	114.8	18.6 ^E	12.9	26.0
British Columbia	111.1	17.9 ^E	11.9	26.1
Frequency of cannabis use				
Less than daily / almost daily ¹	171.0	5.8 ^E	4.0	8.2
Daily / almost daily	504.0	31.1 ²	25.7	37.0
Beliefs about when it is safe to drive after using cannabis				
Within 3 hours ¹	200.9	36.0	25.7	47.6
After 3 or more hours	34.7	2.3 ^{E 3}	1.2	4.2
Other	426.3	18.9 ³	15.2	23.2

... not applicable

E use with caution

F too unreliable to be published

1. Reference category.

2. Significantly higher than reference category.

3. Significantly lower than reference category.

4. Confidence intervals are used to express the precision of the estimate.

Note(s):

For the combined analysis, the original sampling weights of respondents were adjusted by a factor of two (because there are two quarters).

The estimates in the "beliefs about when it is safe to drive after using cannabis" section reflect the percentage of respondents within each belief category who reported driving within two hours of consuming cannabis. The "other" category includes: weight, quantity and method of consumption.

Source(s): National Cannabis Survey (5262).

Table 7

Number and percentage of people reporting being a passenger in a vehicle driven by someone who had consumed cannabis within two hours of driving, by selected characteristics and beliefs about driving after cannabis consumption, household population aged 15 years or older, Canada, combined fourth quarter 2018 and first quarter 2019

	People		95% confidence interval ⁵	
	thousands	%	lower limit (%)	upper limit (%)
Total	1,149.9	4.1	3.5	4.8
Gender				
Females ¹	472.9	3.3	2.7	4.0
Males	670.0	4.9 ²	4.0	6.1
Age group				
15 to 24	403.9	11.8 ²	8.8	15.6
25 or older ¹	746.0	3.0	2.5	3.6
Province				
Newfoundland and Labrador	18.1	4.4 ^E	2.3	8.0
Prince Edward Island	5.3	4.4 ^E	2.7	6.9
Nova Scotia	53.1	7.1 ^{E 3}	4.9	10.3
New Brunswick	25.4	4.4 ^E	2.8	6.7
Quebec	227.9	3.4	2.5	4.7
Ontario	399.0	3.7	2.7	5.1
Manitoba	43.5	4.6 ^E	3.1	6.6
Saskatchewan	36.2	4.5 ^E	3.2	6.3
Alberta	175.9	5.4 ^E	3.8	7.7
British Columbia	165.6	4.4 ^E	3.0	6.3
Cannabis user status				
Never	171.2	1.1 ^{E 4}	0.7	1.8
Former	181.0	2.2 ^{E 4}	1.5	3.1
Current-Less than Daily / almost daily	382.7	14.4 ⁴	11.3	18.1
Current-Daily / almost daily ¹	410.3	28.4	22.8	34.7
Beliefs about when it is safe to drive after using cannabis				
Within 3 hours ¹	263.1	19.9	14.7	26.5
After 3 or more hours	211.8	1.8 ^{E 4}	1.3	2.6
Other	653.4	6.6 ⁴	5.4	8.0

^E use with caution

1. Reference category.
2. Significantly higher than reference category.
3. Significantly higher than the rest of Canada.
4. Significantly lower than reference category.
5. Confidence intervals are used to express the precision of the estimate.

Note(s):

For the combined analysis, the original sampling weights of respondents were adjusted by a factor of two (because there are two quarters). Respondents who did not know whether they had been a passenger in a vehicle driven by somebody who had consumed cannabis within two hours of driving were excluded from these estimates (less than 10%).

The estimates in the "beliefs about when it is safe to drive after using cannabis" section reflect the percentage of respondents within each belief category who reported being a passenger in a vehicle driven by someone who had consumed cannabis within two hours of driving. The "other" category includes: weight, quantity and method of consumption.

Source(s): National Cannabis Survey (5262).

Table 8

Number and percentage of current cannabis users reporting cannabis use at or before work in the past three months by selected characteristics, working household population aged 15 years or older, combined fourth quarter 2018 and first quarter 2019

	People		95% confidence interval ³	
	thousands	%	lower limit (%)	upper limit (%)
Total	513.7	13.4	10.8	16.6
Gender				
Females ¹	189.3	13.9 ^E	9.7	19.6
Males	323.0	13.2	10.1	17.2
Age group				
15 to 24	118.0	13.7 ^E	8.0	22.4
25 or older ¹	395.7	13.3	10.4	16.9
Frequency of cannabis use				
Less than Daily / almost daily ¹	169.7	6.6 ^E	4.6	9.5
Daily / almost daily	344.0	27.1 ²	21.0	34.3

^E use with caution

1. Reference category.

2. Significantly higher than reference category.

3. Confidence intervals are used to express the precision of the estimate.

Note(s): For the combined analysis, the original sampling weights of respondents were adjusted by a factor of two (because there are two quarters).

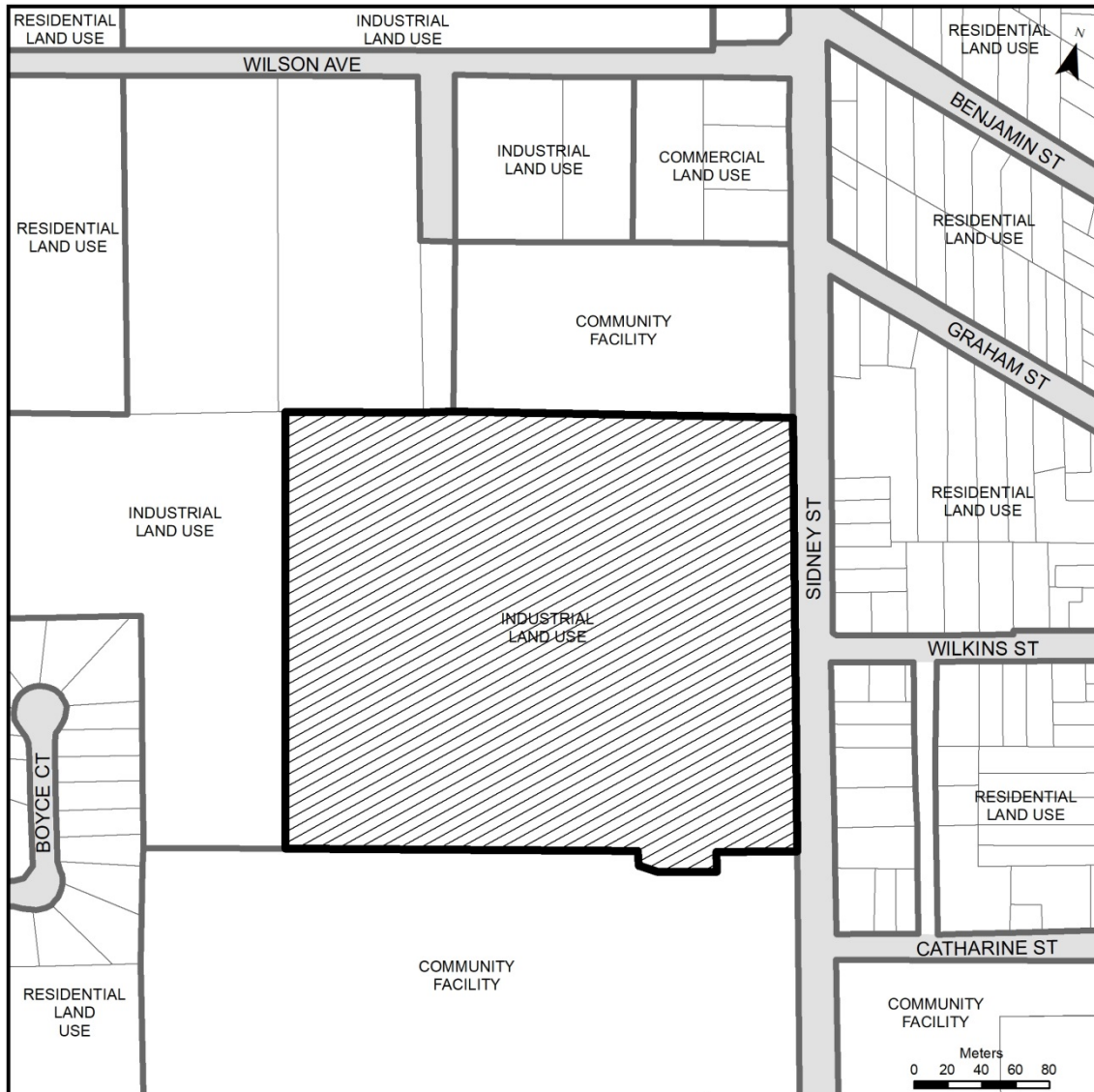
Source(s): National Cannabis Survey (5262).

Available tables: table [13-10-0383-01](#).

Definitions, data sources and methods: survey number [5262](#).

The infographic "[National Cannabis Survey 1st quarter, 2019](#)," which is part of *Statistics Canada — Infographics (11-627-M)*, is now available.

For more information, or to enquire about the concepts, methods or data quality of this release, contact us (toll-free 1-800-263-1136; 514-283-8300; STATCAN.infostats-infostats.STATCAN@canada.ca) or Media Relations (613-951-4636; STATCAN.mediahotline-ligneinfomedias.STATCAN@canada.ca).



LOCATION MAP

LOCATION: 250 SIDNEY ST

 - SUBJECT LANDS



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT

B-77-1076

Baldwin, Erin

From: Ashton, Stephen
Sent: Friday, February 22, 2019 2:47 PM
To: Baldwin, Erin
Subject: FW: 250 Sidney St.

Please make copy for file. Thanks.

From: Ashton, Stephen
Sent: Friday, February 22, 2019 2:46 PM
To: 'klaunderville@gmail.com'
Cc: MacDonald, Matthew; Bovay, Rod; Pinchin, Greg; Deming, Thomas
Subject: RE: 250 Sidney St.

Attention: Kathy Launderville

Thank you for your email. The application consists of a Planning Justification Report submitted by the applicant which will be attached to the report/agenda for the March 4th Planning Advisory Committee Meeting.

A paper copy of the Planning Justification Report is currently available at the Planning Department for your review during regular business hours from 8:30 am to 4:30pm . Otherwise – if you would like an electronic copy of the submitted Planning Justification Report in advance of the planning report, please contact Erin Baldwin ebaldwin@belleville.ca and she will send to you.

For your information, the process for planning applications has changed this year. The meeting of March 4th has a primary focus of hearing comments from residents and allowing questions of clarification of the applicant through the Planning Chair so people can understand the application. Staff does not prepare final recommendations for this meeting. The recommendations for the Planning Advisory Committee are to receive the introductory report as information and “That Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department.”

Thank you.

Stephen Ashton, MCIP, RPP, CAHP
Manager, Policy Planning
Engineering and Development Services Department
City of Belleville
City Hall, 169 Front Street Belleville, Ontario K8N 2Y8
613-967-3320

From: MacDonald, Matthew
Sent: Friday, February 22, 2019 9:34 AM
To: Bovay, Rod; Ashton, Stephen; Pinchin, Greg; Deming, Thomas
Cc: Pallo, Cheryl; Stitt, Jennifer; Forestell, Angela; Keays, Christina; Baldwin, Erin
Subject: FW: 250 Sidney St.

FYI

Matt MacDonald
Director of Corporate Services/Clerk
Corporate Services Department
Corporation of the City of Belleville
ph. (613) 967-3256
fax (613) 967-3206



Follow us on:



From: XXXXX XXXXXXXXXXXXX [<mailto:xxxxxxxxxxxx@gmail.com>]
Sent: Thursday, February 21, 2019 9:38 PM
To: MacDonald, Matthew
Subject: 250 Sidney St.

Hello Matt,

I once again will be arguing against the change in zoning to allow this type of business. I just got the letter and will pen a letter in the coming days for all council members.

Might I ask if it is the same company making the application and if so, has it provided any literature or detailed information that I could read prior to the meeting? Have the mayor and council been provided with any detailed application and information?

I asked last year that they speak to those who are concerned, local residents and business people, educators. That company made no effort to educate us or give us enough information to ease our concerns.

Any additional information would be greatly appreciated.

Sincerely,

XXXXX XXXXXXXXXXXXX
Taxpayer: 59 Boyce Court

Baldwin, Erin

From: MacDonald, Matthew
Sent: Wednesday, February 20, 2019 5:56 PM
To: Pallo, Cheryl; Stitt, Jennifer; Forestell, Angela; Keays, Christina; Baldwin, Erin
Cc: Bovay, Rod; Ashton, Stephen; Deming, Thomas
Subject: Fwd: RE - Amendment Zoning By-Law # 10245

Fyi

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----- Forwarded message -----

From: "XXXX XXXXXXXX" <xxxx.xxxxxx@sympatico.ca>
Date: Wed, Feb 20, 2019 at 5:37 PM -0500
Subject: RE - Amendment Zoning By-Law # 10245
To: "MacDonald, Matthew" <mtmacdonald@city.belleville.on.ca>

Wish to be advised of decision
XXXX XXXXXXXX, 55 Boyce Court, Belleville, K8P 5N9

Baldwin, Erin

From: MacDonald, Matthew
Sent: Friday, March 22, 2019 5:30 PM
To: Bovay, Rod; Ashton, Stephen; Deming, Thomas; Pinchin, Greg
Cc: Pallo, Cheryl; Stitt, Jennifer; Forestell, Angela; Keays, Christina; Baldwin, Erin
Subject: Fwd: File B-77-1076

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----- Forwarded message -----

From: "XXX XXXXXXXX" <xxxxxxxxxxx@gmail.com>
Date: Fri, Mar 22, 2019 at 4:57 PM -0400
Subject: File B-77-1076
To: "MacDonald, Matthew" <mtmacdonald@city.belleville.on.ca>

I found the notice of a public meeting on 4 March ticked into the front door yesterday, 21 March.

In the attached column from The Community Press, two area residents are mentioned. I disagree with their concerns. Increased traffic to the facility will most likely be employees arriving in the morning and leaving at the end of the day, via the entrance off Sidney Street. In no way will this affect any part of Boyce Court.

As for lighting, we were never affected with the lights from the soccer field that was on the property. As Mr O'Connell lives next door to us, I fail to see how lighting will affect his property.

This is an opportunity for the city to acquire a few more well paying jobs. Let's not put unnecessary road blocks in the way.

XXX XXXXXXXX
29 Boyce Court

Baldwin, Erin

From: Ashton, Stephen
Sent: Monday, April 15, 2019 3:34 PM
To: Baldwin, Erin
Subject: FW: Comments on West Belleville proposals

Include in public comments for 250 Sidney (old Nortel site)

From: MacDonald, Matthew
Sent: Thursday, March 07, 2019 8:52 AM
To: Bovay, Rod; Ashton, Stephen; Pinchin, Greg; Deming, Thomas; Fluhrer, Mark
Subject: FW: Comments on West Belleville proposals

FYI

Matt MacDonald
Director of Corporate Services/Clerk
Corporate Services Department
Corporation of the City of Belleville
ph. (613) 967-3256
fax (613) 967-3206



Follow us on:



From: Martha and Curry Grant [<mailto:XXXXXX@cogeco.ca>]
Sent: Wednesday, March 06, 2019 5:54 PM
To: XXXXXX@cogeco.ca
Cc: Mayor Panciuk; Culhane, Pat; Kelly, Sean; Malette, Chris; McCaw, Kelly; Thompson, Garnet; councillor.wlliams@city.belleville.on.ca; Carr, Paul; Sandison, Bill
Subject: Comments on West Belleville proposals

Mayor and Councillors,

Thank you for time. I have lived in West Belleville for over 40 years and have seen many changes. As you know we are a large and socioeconomically diverse area. However, we have in the past come together when projects arise that do not suit our area . With that in mind I would like to comment on several proposals.

Zwick's Park

This area is a unique jewel in the city of Belleville. I support the remediation of the comfort facilities in the park. However, I would not support any commercial development with in the park area.

Currently, this area represents one of the few natural areas in the city. It is a popular place for family gatherings, city celebrations, physical activity and enjoyment that the waterfront location can provide. Using the park facilities requires no money and is a respite from the pressures of city life. Therefore it is usable by everyone, young and old regardless of socioeconomic status. It is however, difficult to get to by foot or bus which would make commercial development unlikely to succeed at all. As a family destination it is perfect and is a counterpoint to the busy Bayshore Trail in East Belleville.

Sidney Street Proposal

The proposed marijuana facility has been discussed at council and also with the previous council. I had hoped that at this point, city advisors had studied and prepared a by-law – as has been done pre-emptively in other cities – to restrict this and similar kinds of industry to industrial parks, where impact to citizens is limited. The mention of remediation of the building for odour and the spectre of a fortified structure in the middle of a residential area, especially beside a school, are definite hinderances to any approval. I understand that once again, legal representatives of the firm proposing this project were very short on facts.

It would seem that this property would be great commercial property for important needs such as groceries, doctors offices, community support groups, day care, open work spaces, etc.

West Belleville

City government has allowed growth of homes in West Belleville to grow greatly. In particular, they have allowed homes to develop within the immediate vicinity of the building under proposal. It is time to protect these citizens.

This area has a very mixed social and economic structure from the old West Hill to the new areas at Potter’s Creek. With so much land (Agricultural Park and Ben Bleecker property) available for development, it would appear that is it a very good time to do some research into the area and the needs of your citizens.

The outdoor spaces – Zwick’s, Mary Ann Sills Park, City Ball Diamonds – are wonderful. But, for seniors and physically impaired persons, this is not enough, especially in the winter. With space available , it would be a great time to support the YMCA in is desire to have a bigger facility and place it in West Belleville. This would provide year round space, as the great Sports and Wellness Centre does in East Belleville, and could have a tremendous impact across age, physical and economic status. Currently there is no such indoor space available to the public in this area.

Let’s make our city unique – because it is a special place to live.

Thank you for your time.

Martha A. Grant

XXX XXXXXX XX. X.

Belleville ON K8P 1A8

Moved by Councillor Culhane
Seconded by Councillor Kelly

THAT the "Staikos Homes (2014) Ltd." Planning Application be referred to the Regular Planning Meeting for further consideration.

-CARRIED-

- 3.6 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED - 250 SIDNEY STREET, CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NO.: 8-77-1076
OWNER/APPLICANT: 2589989 ONTARIO INC.
AGENT: RFA PLANNING CONSULTANT INC.

At the request of the Chair, the Manager of Policy Planning described the subject Application as follows:

"The property has approximately 253.2 metres of frontage on Sidney Street. The Applicant requests a rezoning to add Cannabis Processing Facility as a permitted use to the Restricted Industrial (M1-11) Zone.

In the Official Plan, the subject land is designated as 'Industrial'."

Mr. Shawn Leger (RFA Consultant Inc.) Agent for the Applicant provided an overview of the proposal.

Virginia Maclean, Council for the owners spoke about the Health Canada's strict guidelines, and about the security of the building and site.

Owners Frank Mondelli and Michael Sannella of "2589989 Ontario Inc." were in attendance and answered questions and addressed concerns.

Mr. Michael DesChamp resident of Boyce Crescent voiced his concerns regarding the affect the facility will have on property values.

Mr. Peter O'Connell, resident of 27 Boyce Crescent spoke about his concerns with security; specifically lights/cameras/fencing, increased traffic and proximity to schools.

Committee Minutes

Mr. Tony Rivers resident of Dundas Street cited his concerns with the appearance of the building because of its security measures. (high fences, cameras).

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

Moved by Councillor Culhane
Seconded by Councillor Sandison

THAT the "2589989 Ontario Inc" Planning Application be referred to the Regular Planning Meeting for further consideration.

-CARRIED-

**3.7 PROPOSED AMENDMENT TO ZONING BY-LAWS
NUMBERED 10245, 3014, AND 2076-80 AS AMENDED - 250
SIDNEY STREET - CITY OF BELLEVILLE, COUNTY OF
HASTINGS
FILE NO.: B-77-1077
OWNER/APPLICANT: CITY OF BELLEVILLE**

At the request of the Chair, the Manager of Policy Planning described the subject Application as follows:

"This application is to amend the Zoning By-laws to define public uses and to add general provisions in relation to those uses. The proposed amendment applies to the entire municipality."

No persons responded to the Chair's call to speak for or against the application.

Moved by Councillor Sandison
Seconded by Councillor Culhane

THAT the "City of Belleville" Planning Application be referred to the Regular Planning Meeting for further consideration.

-CARRIED-

Moved by David Joyce
Seconded by Councillor Sandison

THAT Report No. PP-2019-17 dated March 4, 2019 regarding Notice of Complete Application and Introductory Public Meeting for Application for Proposed Amendment to Zoning By-law Number 3014, As Amended - 20-80 Wims Way, Canniff Mill Estates - North (Phases 8+), former Township of Thurlow, now City of Belleville, County of Hastings be received as information; and,

THAT Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department."

-CARRIED-

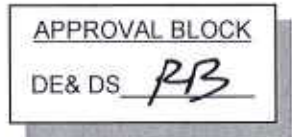
- 6.6 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED - 250 SIDNEY STREET CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-1076
OWNER/APPLICANT: 2589989 ONTARIO INC.
AGENT: RFA PLANNING CONSULTANT INC.

Moved by Mayor Panciuk
Seconded by Councillor Culhane

THAT Report No. PP-2019-15 dated March 4, 2019 Regarding Notice of Complete Application and Introductory Public Meeting for Proposed Amendment to Zoning By-law Number 10245, as Amended - 250 Sidney Street, City of Belleville, County of Hastings be received as information; and,

THAT Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department.

-CARRIED-



CITY OF BELLEVILLE

Stephen Ashton, Manager of Policy Planning
Greg Pinchin, Manager of Approvals
Engineering & Development Services Department
Report No. PP-2019-46
July 2, 2019

To: Belleville Planning Advisory Committee

Subject: RECOMMENDATION REPORT

REVISED Applications for Zoning Amendment, Plan of
Subdivision, Plan of Common Elements Condominium
427 Farnham Road, City of Belleville
OWNER: Heritage Park J/V
AGENT/APPLICANT: RFA Planning Consultant Inc.

Files: B-77-1079 and 12CD-19001

1. Recommendation:

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

1. "That Zoning By-Law Number 3014, as amended, be amended by rezoning the subject lands described as 427 Farnham Road from Rural Residential (RR) Zone to Low Density Residential Type 2 (R2) with special provisions to permit a 10 unit semi-detached common elements condominium development.
2. "THAT approval of a Draft Plan of Subdivision, as shown on Attachment #14 to the Manager of Policy Planning & Manager of Approvals' Report No. PP-2019-46, be finalized for those lands described in Attachment #13 (File: 12CD-19001), subject to the draft plan conditions outlined in Attachment #15 of same.
3. "THAT approval of a Draft Plan of Common Element Condominium, as shown on Attachment #16 to the Manager of Policy Planning & Manager of Approvals' Report No. PP-2019-46, be finalized for the lands described in Attachment #13 (File: 12CD-19001), subject to the draft plan conditions outlined in Attachment #17 of same."

2. Strategic Plan Alignment

The City of Belleville's Strategic Plan identifies nine strategic themes including Residential Development. Strategic objectives of the Residential Development theme include:

- Plan for residential growth to meet our needs for 20 years and designate sufficient land in our planning documents to accommodate residential growth for 10 years; and
- Provide for a variety of housing forms to reflect our changing demographics and need for affordability.

3. Background:

The Engineering and Development Services Department (Policy and Approvals Divisions) received a REVISED application for Zoning Amendment, Plan of Subdivision, and Plan of Common Elements Condominium for lands located at 427 Farnham Road.

The Planning Advisory Committee reviewed Report No. PP-2019-45. Now that input from the public, commenting agencies, and municipal departments had been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department, staff has prepared a recommendation report.

Draft Plan of Subdivision and Draft Plan of Common Elements Condominium

The Applicant is requesting approval of a Draft Plan of Subdivision and a Draft Plan of Common Elements Condominium that would create 10 blocks of land on which could be constructed 5 semi-detached residential buildings containing a total of 10 dwelling units.

An additional block of land (Block 11 - the "common element") consists of a shared private laneway to access the residential blocks from Farnham Road. Each of the blocks in this proposed Plan of Subdivision would be serviced with municipal water and sewer from Farnham Road via the common element. All of these features will be constructed by the developer and registered as a condominium common element that will be owned and maintained by a condominium corporation established for that purpose.

Approval of the Plan of Subdivision is required to subdivide the 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 laneway to access and service each Block).

Through the draft approval process for both Plan of Subdivision and Plan of Common Elements Condominium, Council approves a set of conditions that must be met by the Owner in order to secure final approval.

Chronology of Applications

i) Initial Application

An initial application for a proposed amendment to Zoning By-Law Number 3014, in addition to a Draft Plan of Subdivision and a Draft Plan of Common Elements Condominium that would create 3 blocks of land on which could be constructed 3 residential buildings containing a total of 13 townhouse dwelling units, and a fourth block of land that would contain a common element driveway that would be used to access the townhouses from Farnham Road was received by the City of Belleville on February 27, 2019. In support of the application, the following was submitted:

- Planning Justification Report – RFA Planning Consultant Inc.
- Servicing Brief – Ainley Graham & Associates
- Excerpt from Farnham Road Master Plan
- Floor plans & elevations
- Draft Plan of Subdivision
- Preliminary Site Plan
- Draft Plan of Common Elements Condominium
- Preliminary Grading Plan
- Traffic Memo

An initial public meeting was held in accordance with the requirements of the Planning Act on April 1, 2019. At this meeting, there were a number of questions and comments from the public (See **Attachment #1** –PAC Minutes, April 1, 2019), along with initial correspondence from residents (See **Attachment #2**).

Through this process, Staff identified the major concerns and questions regarding the application. The concerns and questions on the functioning of the development in relation to the roundabout were provided to BT Engineering for their peer review. It should be noted that BT Engineering undertook the Environmental Assessment and Road Design work for the roundabout.

Other concerns and questions were provided to the applicant. Their responses to these concerns and questions are detailed later in the report through the Public Comments Section.

ii) REVISED Application

Following the initial public meeting of April 1, 2019, the applicant REVISED their application, which was submitted to the Planning Department.

The applicant now proposes to rezone the subject lands from Rural Residential (RR) Zone to Low Density Residential Type 2 (R2) Zone with special provisions to permit 10 semi-detached dwelling units. At the same time, the applicant is requesting approval of a Draft Plan of Subdivision and a Draft Plan of Common Elements Condominium that would create 10 blocks of land on which could be constructed 5 semi-detached residential buildings containing a total of 10 dwelling units, and an eleventh block of land that would contain a common element laneway that would be used to access the semi-detached dwellings from Farnham Road.

In support of the REVISED application, the following documents were provided:

- REVISED Site Plan
- Elevations – Front, Rear, Right
- Official Plan Density Memo
- Zoning chart comparing current zones used in Belleville for semi-detached dwellings
- Angular Plane Review (2 pages)
- Aerial Imagery of Gale Crescent (Rear Yard Setbacks)
- Aerial Imagery of Chelsea Court (Rear Yard Setbacks)

These documents are included as **Attachment #3** to this report.

A second public meeting was held in accordance with the requirements of the Planning Act on June 3, 2019. At this meeting, there were a number of questions and comments from the public (See **Attachment #4** – PAC Minutes, June 3, 2019), along with correspondence from residents (See **Attachment #5**).

Applicant's Presentation at Public Meeting

In addition to the above-noted documents, Spencer Hutchison, agent for the owner presented as overview of the REVISED application at the June 3, 2019 Public Meeting. The presentation he provided the Committee is included as **Attachment #6**. Mr. Hutchison discussed a number of points including the following:

- The application represents low density residential development under the Official Plan Policies with a net density of 23.7 units per hectare.
- The proposed facades are in keeping with the facades of Moira Lea Court which addresses the Urban Design Policies of the Official Plan.

- The angular plane study prepared by the applicants shows no building within this 45 degree angle and meets the criteria of not taking away the sky and shows compatibility.

Mr. Hutchison also suggested there were 3 or 4 main themes regarding the objections and outlined these themes and their response:

- Traffic – There is a written letter from BT Engineering with a peer review of the application confirming that they are satisfied with the application. This represents the 4th Engineering group that is satisfied with the proposal, which also includes Ainley Group who prepared the design for the owner, the Development Engineer within the Approvals Section of the City, and the Engineering Division of the City.
- Stormwater – The Plan of Subdivision will have plans that include grading plans and stormwater calculations and these will be registered on title.
- Property Values – The surrounding property values will not decrease.
- Compatibility – This development is low density adjacent to low density development.

Mr. Hutchison concluded that the REVISED application meets the Provincial Policy Statement (PPS), Official Plan Policies and is consistent with the Thurlow Zoning By-Law.

Additional Documentation Submitted Since June 3, 2019 Public Meeting

Staff, through review of public comments of the public meetings identified that there were still questions on whether the site design could still support an enlarged roadway along Farnham if it was expanded to four lanes. Staff requested the applicants demonstrate the ability of the site to function if there was ever the requirement to expand to 4 lanes in the future as identified as a potential requirement through the Environmental Assessment conducted by BT Engineering. The applicants have provided these drawings which are discussed in Section 3.5 (Public Comments) of this report.

3.1 Site Details

The subject land is identified on the attached Location Map (**Attachment #7**). Site details for the subject land:

Site Review	Description
Site Location	427 Farnham Road; located on the northeast side of Farnham Road, north of Maitland Drive and south of Simcoe Drive
Site Size	4,227.3 metres squared
Present Use(s)	Vacant
Proposed Use	Ten (10) semi-detached dwelling units
Belleville Official Plan Designation	Commercial
Present Zone Category	Rural Residential (RR) Zone
Proposed Zone Category	Low Density Residential Type 2 with special provisions to permit 10 semi-detached dwelling units
Land uses to the north	Light industrial business
Land uses to the east	Single detached dwelling units
Land uses to the south	Commercial establishments
Land uses to the west	Townhouse dwelling units

The proposed blocks are detailed as follows:

Block	Use	Area	Percentage
1-10	Parcels for Semi-Detached Dwelling Units	3,523.2 m ²	83.3%
11 Common Element	Internal condominium laneway	704.1 m ²	16.7%
Total		4,227.3 m ²	100%

3.2 Provincial Policy Statement

Municipalities are required to ensure all decisions related to land use planning matters shall be consistent with the Provincial Policy Statement.

The Provincial Policy Statement requires settlement areas to be the focus of growth which, among other things, promote cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS also promotes densities and a mix of land uses which:

1. efficiently use land and resources;
2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
4. support active transportation;
5. transit-supportive, where transit is planned, exists or may be developed; and

Additionally, the PPS requires that planning authorities shall 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, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

3.3 Official Plan

The current Official Plan was adopted by City Council on June 18, 2001 and approved by the Ministry of Municipal Affairs and Housing on January 7, 2002. Since 2002, a significant number of new and updated policies and legislation have occurred at the provincial level. The City is currently undertaking an update to the policies of the Official Plan to ensure they comply with current provincial policies and legislation.

Density and Intensification

The City's Official Plan permits residential development at low, medium and high densities with forms ranging from single family detached dwellings to various types of attached and multiple dwellings, under various forms of tenure (freehold, rental, cooperative, condominium). When considering where different densities should be permitted, Section 3.10.2 states that residential development within areas designated Residential land use should be permitted to occur at various densities within the City.

In regard to medium density development, policies provide that lands should have direct frontage on or immediate access to either an arterial or collector road.

The Official Plan contains policies stating that preferred locations for high density residential have direct frontage on or immediate access to arterial or major collector roads; developments with access only to collector streets should generally be smaller scale.

Section 7.15.4 a) discusses housing intensification and states that the Plan

supports compatible housing intensification and infill development such as “infilling on existing lots of record and maximizing use of underutilized lots.”

This section also states “the impact of intensification on the character of existing neighbourhoods should be considered, along with the availability and adequacy of existing municipal infrastructure to service the increased density.”

Compatibility

Compatibility is discussed in Section 7.6 of the Official Plan under Urban Design which encourages the application of high standards of urban design wherever possible. This section discusses how urban design objectives can be achieved through a number of methods. Specific to this application, the following would be applicable:

- landscaping of new development and upgrading landscaping of existing development;
- encouragement for good architectural design of new structures and sympathetic treatment of the architecture of existing structures;
- buffering to improve compatibility of adjoining land uses;

The Plan also provides enabling policies to establish guidelines and standards on urban design to provide direction on design that satisfies Municipal objectives.

3.4 Zoning By-law

The applicant proposes to rezone the subject lands from Rural Residential (RR) Zone to Low Density Residential Type 2 with special provisions to permit 10 semi-detached dwelling units.

The proposed zone for the property is Low Density Residential Type 2 (R2) with special provisions. The requested special provisions are listed in the table below:

SPECIAL PROVISIONS:	REQUESTED:	R2 REQUIREMENTS:
Lot area (minimum) for semi-detached dwelling house	307.0 m ²	325 m ²
Lot frontage (minimum) for semi-detached dwelling house	9.2 m	10.5 m

Lot coverage (maximum)	42%	35%
Front yard depth (minimum)	6.0 m	7.6 m
Rear yard depth (minimum)	7.5 m	7.6 m
Interior side yard depth (minimum)	1.2 m	2 m
The front lot line shall mean the line dividing the lot from the common element block (private laneway)	Special provision	n/a

3.5 Public Comments

On May 10, 2019 a written notice, location map, site plan and elevations were mailed by first class mail to all registered owners of land within 120 metres of the subject property in addition to individuals who signed the Notification Sheet at the initial April 1, 2019 public meeting. The notice provided information that the City is in receipt of a REVISED application for the subject lands and provided information that a public meeting was scheduled for June 3, 2019.

Similarly, a sign was placed on the subject lands notifying the general public that a public meeting was scheduled for June 3, 2019.

Both the notice and sign state that additional information is available in the City's planning files for review by any member of the public during business hours.

Correspondence – Initial Application

Correspondence from members of the public concerning the initial application with 13 townhomes has been received by the City outlining concerns and is included as an attachment to this report.

Correspondence – REVISED Application

Correspondence from members of the public concerning the REVISED application with 10 semi-detached dwellings has been received by the City outlining concerns and is included as an attachment to this report.

New Concerns – REVISED Application

The correspondence received from community members for the REVISED application, in addition to comments at the public meeting have been reviewed by Staff. Many of the comments state that the REVISED application provides the same concerns as the initial application. New comments are provided in the table below with Staff responses. These include:

NEW COMMENTS	CITY STAFF RESPONSE
The City should not accept 5% cash-in-lieu of parkland	It is City Policy to accept cash-in-lieu to avoid small parcels of parkland which could be costly to maintain and ineffective for park purposes. These monies are provided to a reserve to purchase larger parkland or improve existing parkland to benefit the larger community.
Questioning the validity of the engineering traffic study results	BT Engineering are professional engineers that are regulated by provincial law and adhere to a code of ethics that deal with their moral duty and obligations. Their Code of Ethics is based on broad principles of integrity, truth, honesty, and trustworthiness, respect for human life and welfare, fairness, openness, competence, and accountability.
Asking whether BT Engineering are in a conflict of interest position	See response above
Higher elevation to adjacent homes seems unreasonable	The applicant was asked to address compatibility and urban design including an angular plane analysis which is discussed in Section 4 (Compatibility) of this report.
Swales could be landscaped and filled in	The municipality's standard subdivision agreements include a warning clause to specify in any agreement of purchase and sale that no owner shall alter, fill, fence, stop up or allow to become clogged or fall into a state of disrepair, any rear or side yard drainage depression or swale, catchbasin or other drainage channel, facility or installation. If someone does violate this warning clause then they will be responsible for remedy and any potential damage. This applies across the City.
Should be turned into a green space etc.	This is privately-owned land and they have the right to develop the property as long as it meets provincial and municipal requirements.

Other Comments Concerning the Roundabout

There have been requests for examples from other municipalities illustrating the same type of roundabout in close proximity to a residential development. Three examples were provided by the Director of Engineering and Development Services and are included as **Attachment #8**.

Comments from these examples refer to how they are not the exact same situations as would be developed at the Farnham/Maitland roundabout because of the road configuration, mix of commercial and residential properties and traffic flow.

These comments have been reviewed with our Development Engineer. Through this review it has been highlighted that every road and/or roundabout and/or intersection is different and no two situations will ever be the same. It is for this reason that professional engineers design roads, roundabouts, intersections and entrances according to TAC (Transportation Association of Canada) Guidelines. TAC's *Geometric Design Guide for Canadian Roads* is a fundamental reference document for roadway design practitioners in Canada. The Guide has contributed to the consistent and safe development and expansion of regional, provincial, and national roadway and highway systems in Canada.

Responses to questions and concerns regarding the functioning of the development in relation to the roundabout

Many questions and concerns were identified from the public as they relate to the functioning of the development in relation to the roundabout. The Engineering firm responsible for the studies, assessment and design of the road network including the roundabout is BT Engineering (BTE). Because the subject property was considered as part of their overall work, the City hired BTE to undertake a peer review of the application and address concerns from the public because they would be considered as the expert authority in this matter.

In BTE's correspondence which is included as **Attachment #9**, they have identified the fact that they had considered the subject lands in their initial design requirements of the roads and intersection as a commercial use as opposed to the proposed residential use. BTE state that "the Environmental Assessment would therefore have considered a higher generation of traffic occurring at the lands subject to the zoning application. Residential development of the subject lands results in lower traffic generation and does not impact the findings of the EA."

The letter concludes with the statement "In summary, based on our review of the proposed development, it is our professional opinion that the traffic that will be generated can be suitably accommodated and will not interfere with the operation of the roundabout."

Both the Development Engineer and Engineering Staff have reviewed the correspondence from BTE and are satisfied with their responses.

30 Metre Right-Of-Way

One concern by the public was whether the development would impact the protection of a 30 metre right of way. The peer review identified that this is protected since the buildings were not located within the future right-of-way. This matter was then again raised a number of times during the written and public comments concerning the REVISED application. Analysis of the exact requirements of road widening is generally done as a technical matter when the Plan of Subdivision agreement is being prepared. As this has created confusion, City Staff requested the applicants prepare site plan drawings illustrating the 26 metre right-of way and road widening requirements and a potential 30 metre right-of-way in the future, visually illustrating how it is clearly protected through the proposed development. These drawings are shown on **Attachment #10**.

The drawings show that the service road could be shifted towards the proposed housing and this would still allow for all units to meet or exceed on-site parking requirements of the zoning by-law while additional parking could be accommodated on the service road. To ensure that purchasers of these proposed units are aware of a potential road widening in the future, a warning clause in the subdivision agreement is being proposed.

The Development Engineer (Approvals Section) has reviewed these drawings and is satisfied that they clearly illustrate that if there was a potential right-of-way expansion in the future, it could be accommodated with this development.

Responses to questions and concerns from Applicant

Questions and concerns identified during the public process which were separate from those concerns related to the roundabout were summarized in a table format and responded to by the applicant. This table is included as **Attachment #11**.

Staff has reviewed the applicant's responses and are satisfied that they have been addressed satisfactorily and have no concerns.

3.6 Staff and Agency Comments

External Agency Circulation

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Hastings and Prince Edward Health Unit, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Veridian Connections, Hydro One, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines, MPAC, Quinte Conservation and the Health Unit.

Veridian Connections advise that the development falls outside of their current service area, and they cannot be considered as an alternative service provider.

Quinte Conservation, MTO, and Hydro One have provided correspondence to advise that they have no concerns.

At the time of writing this report, 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 Development Engineer, the General Manager of Transportation & Operations Department, General Manager of Environmental Services, the Director of Recreation, Culture and Community Services, the Manager of Parks & Open Spaces, the Chief Administrative Officer, the Manager of Economic & Strategic Initiatives, the City Clerk, and the Chief Building Official.

The Development Engineer commented that she has no objection to the application. She has provided requirements which need to be addressed as part of the Development Agreement including: a Stormwater Management Report; and controls for siltation and erosion control during the development.

The Director of Recreation, Culture and Community Services Department inquired if the City will be taking cash in lieu of parkland. This will occur at the development agreement phase.

Belleville Fire and Rescue, and Parks and Open Spaces have provided correspondence and they have no concerns.

Transportation & Operations Services recommend ensuring that the common elements laneway remains privately owned and maintained by the condominium corporation. This will be achieved through clauses in the

subdivision agreement and condominium declaration.

At the time of writing this report, no other comments have been received regarding this application.

4. Analysis:

The proposed application represents a low-density residential infill development creating 10 semi-detached dwelling units on a parcel adjacent to the Farnham/Maitland roundabout which is currently under construction and adjacent to low residential density development along Moira Lea Court.

The subject lands are currently designated Commercial which would normally require the applicant to develop the lands by rezoning to commercial to match the land use designation, or undertake an Official Plan Amendment to change the land use to Residential. However, the Official Plan, adopted by Council in 2002 contains provisions that Commercial lands outside of the main Commercial Areas are allowed to be redeveloped as Residential Lands without an Official Plan Amendment. This policy will be eliminated through the Official Plan Update but existing policies are applicable. Residential development is considered a less impactful than commercial uses.

This application had an initial public meeting proposing 13 townhomes that were 2-storeys with walk-out basements at the rear. Through this initial public meeting, a number of concerns were raised from members of the community and these were summarized by staff. These concerns were grouped into the following categories:

- Design Concerns
- Future Widening Concerns
- Pedestrian and General Safety Concerns
- Onsite infrastructure issues
- Other Concerns (General)
- Suitability as an Intensification Site
- Compatibility Concerns

Design Concerns

Design concerns regarding the development and roundabout were addressed through the Peer Review undertaken by BTE and City Engineers are satisfied with the responses.

Future Widening Concerns

Future widening concerns regarding the development and road network were

addressed through the Peer Review undertaken by BTE and City Engineers are satisfied with the responses.

As referenced through Section 3.5 (Public Comments), City Staff asked for detailed drawings showing that the potential future 30 metre road widening could be accommodated. The Development Engineer is satisfied that the development will not impact any future road widening. In addition, a warning clause will be included in the subdivision agreement so that purchasers will be aware of this potential.

Pedestrian and General Safety Concerns

Pedestrian and general safety concerns regarding the development and roundabout were addressed through the Peer Review undertaken by BTE and City Engineers are satisfied with the responses.

Onsite infrastructure issues

Responses to public concerns identified as onsite infrastructure issues which include parking, snow removal, and garbage pick-up have been provided by the applicant. City Staff are satisfied with the applicant's responses.

Other Concerns (General)

Responses to other concerns including noise, maintenance of service road and stormwater management have been provided by the applicant. City Staff are satisfied with the applicant's responses.

Staff have also indicated through Section 3.5 of this report that concerns of swales potentially being filled in are addressed by the municipality's standard subdivision agreements that include a warning clause to specify in any agreement of purchase and sale that no owner shall alter, fill, fence, stop up or allow to become clogged or fall into a state of disrepair, any rear or side yard drainage depression or swale, catchbasin or other drainage channel, facility or installation. If someone does violate this warning clause then they will be responsible for remedy and any potential damage. This applies across the City.

Suitability as an Intensification Site

Initial concerns regarding whether this site was suitable as an intensification site were raised through the first public meeting which illustrated 13 townhomes representing a density of approximately 30.76 units per net hectare, considered as medium density residential development through the provisions of the Official Plan

With the REVISED application of 10 semi-detached dwelling units, the density is approximately 23.7 units per net hectare which is considered low density residential development through the provisions of the Official Plan. With the change of the application from medium density to low density, the original question of whether the site is suitable as an intensification site is addressed since the REVISED application is low density. This low density development is better described as infill rather than intensification.

Responses to intensification concerns have been provided by the applicant. City Staff are satisfied with the applicant's responses.

Compatibility

Concerns have been raised by residents on whether this proposed development is compatible with surrounding residential development. Some of these concerns may originate from an expectation that the subject lands remain vacant. Other concerns may stem from site topography, with the property sloping towards existing adjacent homes on Moira Lea Court.

Defining what is compatible is often challenging in absence of specific policies and guidelines that are adopted by the municipality. In the case of Belleville, consideration must be provided to the policies of the Official Plan to determine whether the proposal is compatible. Since there are no approved urban design guidelines, reference to general provisions of the Official Plan and the development's conformity to these policies must be considered.

Compatibility is generally discussed in Section 7.6 of the Official Plan under Urban Design which encourages the application of high standards of urban design wherever possible. This Section discusses how urban design objectives can be achieved through a number of methods. Specific to this application, the following would be applicable and staff have provided how this has been addressed through the application:

- Landscaping of new development and upgrading landscaping of existing development.

The development is proposing fencing along the rear and northerly side yards. The development is proposing a tree be planted in each of the rear yards.

- Encouragement for good architectural design of new structures and sympathetic treatment of the architecture of existing structures.

The proposal calls for 10 semi-detached units with an articulated front façade consisting of a number of materials including masonry, siding,

and pillars along with side facades consisting of masonry and siding and rear elevations consisting of siding. The rear siding of the proposed buildings is consistent with the rear siding of the existing dwelling units along Moira Lea Court.

- Buffering to improve compatibility of adjoining land uses.

The applicant is utilizing fencing and tree planting to provide buffering.

Angular Plane Analysis

The application addresses general compatibility policies of the Official Plan. Staff also requested the applicant undertake an angular plane drawing of the development in relation to the adjacent homes which would also consider the elevation changes between the properties.

An angular plane analysis is typically a requirement through urban design guidelines where there is an area of transition between defined mature neighbourhoods and larger buildings. The angular plane means your adjacent properties will experience almost no sunlight loss compared to an as-of-right development that could be built to the maximum allowed by a zoning by-law. While it typically would not be necessary for such analysis of proposed low density residential development that is adjacent to existing low density residential development, there was concern over the initial application of two-storey townhomes and the slope change between properties. An angular plane analysis was prepared, and these drawings are included as **Attachment #12**.

The drawings provided by the applicant reflect the proposed and existing buildings and the slope change between them and include the angular plane which illustrates an impact that would be considered acceptable if the City had design guidelines.

Applicant Response to Compatibility Concerns

In addition to submitting the angular plane drawings, compatibility concerns from the public meeting were provided to the applicant. City Staff are satisfied with the applicant's responses.

Adherence with City Compatibility Requirements

Staff is of the opinion that the development proposal meets the City's requirements concerning compatibility as defined through the Official Plan.

Conformity with Provincial Policy Statement and Official Plan

The proposed development is consistent with the Provincial Policy Statement since it represents an appropriate infill development that will utilize existing City infrastructure and provide more housing options for the community.

The proposed development is consistent with the Official Plan. Residential development is permitted on the site. The site is located along a Collector Road and although the Official Plan supports medium and high density development along collector roads, the applicant has chosen to develop the site as a low-density infill site. As an infill site, the application also addresses compatibility policies included in the Official Plan.

Zoning By-law

Height

There has been discussion and concern from adjacent property owners on the impact of the buildings because of their height.

The maximum height of a building in the proposed residential zone is 11 metres. Staff notes that if the applicant was rezoning the lands to a commercial zone, which would be supported by the Official Plan Policies, then the maximum height would also be 11 metres.

The method of measuring height is determined through the zoning by-law definitions which state that it means the vertical distance, measured between the finished grade at the front of the building and, in the case of a gable, hip or gambrel roof, the average height between the eaves and the ridge.

Utilizing this definition, the proposed height of the buildings are approximately 4.9 metres which is 6.1 metres less than what the applicant could build as of right through the R2 zone or a commercial zone. With the reduced height, the impact on adjacent properties is reduced.

Special Provisions Requested

The Applicant proposes to rezone the subject lands from Rural Residential (RR) to Low Density Residential Type 2 (R2) with special provisions to permit 10 semi-detached dwelling units.

The special provisions deal with the following regulations:

- Lot area (minimum) for semi-detached dwelling house
- Lot frontage (minimum) for semi-detached dwelling house
- Lot coverage (maximum)
- Front yard depth (minimum)

- Rear yard depth (minimum)
- Interior side yard depth (minimum)
- The front lot line shall mean the line dividing the lot from the common element block (private laneway)

In determining whether the proposed special provisions are appropriate, it is important to consider the purpose of setbacks. Setbacks are generally established to create yards where people can enjoy their spaces and there is adequate separation from surrounding land uses and/or adjacent properties to limit the development's impact on neighbours.

In review of the public feedback, the most important provision to consider is the rear yard set-back since many of the concerns relate to adjacent properties on Moira Lea Court. The existing required rear yard setback is 7.6 metres and the applicant is requesting a reduced rear-yard setback of 7.5 metres. This represents a difference of 0.1 metres or 3.94 inches.

Staff is of the opinion that these requested special provisions are appropriate in implementing the low-density requirements of the City's Official Plan.

4.1 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 urban area of the city and will be constructed on full municipal services. Thus, the development could be considered in-fill development that helps bring additional residents to the city.

It is also important to note that this development provides semi-detached dwellings along Farnham Road to complement the single detached and street townhouse dwellings constructed nearby.

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.

4.2 Proposed Conditions of Draft Plan of Subdivision Approval

Proposed conditions of Draft Plan of Subdivision Approval are included as **Attachment #15** to this Report. It is proposed that these conditions be recommended to Council for approval while incorporating any necessary changes stemming from consideration at the July 2, 2019 meeting of the

Planning Advisory Committee. A brief overview of key conditions follows.

Condition No. 2 requires the dedication of road widening to bring the width of the Farnham Road right-of-way to the required 26.0 metres across the frontage of the property.

Condition No. 3 requires the construction of a proper sidewalk along Farnham Road across the frontage of the property.

Conditions No. 4 & 5 address the design and construction of the subdivision and common elements laneway.

Condition No. 6 requires that purchasers be notified that 2 metres of their front lawn would be transferred to the condominium corporation to shift the private laneway in the event that the City decides to widen Farnham Road in the future. It further requires notice that lot grading and drainage may not be altered from the approved engineering plans, and that the private laneway shall remain the responsibility of the condominium corporation and not the City.

Conditions No. 7 & 8 require that the Owner construct continuous privacy fencing along the northern and eastern lot lines of the property abutting existing development, and that future owners of the subject blocks maintain the fence.

Conditions No. 10 & 11 ensure that stormwater management and site grading issues are addressed.

Conditions No. 13, 16, 20, 22 & 23 ensure that the requirements of the utilities required to service the subject lands are dealt with.

Condition No. 14 requires a cash-in-lieu of parkland payment to the city.

Conditions No. 15 & 21 ensure that the requirements of Canada Post are met.

Conditions No. 18 & 19 require the Owner to enter into a subdivision agreement with the city that will be registered on the title of this property.

Condition No. 24 ensures that a tree will be planted in each of the rear yards, as proposed by the Owner, to provide additional buffering from existing residential dwellings on Moira Lea Court.

The approval of this subdivision would lapse in three years.

4.3 Proposed Conditions of Draft Plan of Common Element

Condominium Approval

Proposed conditions of Draft Plan of Common Element Condominium Approval are included as **Attachment #17** to this Report. It is proposed that these conditions be recommended to Council for approval while incorporating any necessary changes stemming from consideration at the July 2, 2019 meeting of the Planning Advisory Committee. A brief overview of key conditions follows.

Condition No. 4 requires all related planning approvals to be completed before the condominium plan can be finalized.

Conditions No. 5 & 6 lay out the responsibilities of the Condominium Corporation, and advise purchasers of same. 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 in three years if all the conditions are not satisfied by that date.

5. Considerations:

5.1 Public

Circulation to the public complies with the requirements of the Planning Act, R.S.O. 1990.

5.2 Financial

Application processing fees have been received by the City. Any planning, engineering, surveying and legal costs to facilitate development of the subject lands would be at the Owner's expense.

5.3 Input from other Departments/Sources

Circulation of this application to other departments/agencies has occurred.

6. Conclusion:

The REVISED application for rezoning the subject lands at 427 Farnham Road from Rural Residential (RR) to Low Density Residential Type 2 (R2) with special provisions to permit a 10 unit semi-detached condominium

development is the result of the developer updating the application following the first public meeting and reducing the number of dwelling units from 13 to 10.

During the process, the City has received numerous concerns about the proposal being located in close proximity to the roundabout. A peer review undertaken by BT Engineering examining the development's proximity to the roundabout concluded the proposed development can be suitably accommodated. Staff is satisfied that these concerns have been addressed.

With regard to impact on adjacent property owners along Moira Lea Court, the applicant has provided elevations of the properties and illustrations of buildings through an angular plane analysis. They have also provided information on how they have addressed compatibility through meeting the requirements of the Official Plan Policies.

The rezoning of the lands to a Low Density Residential Type 2 (R2) Zone contains a number of proposed special provisions. One significant special provision which has direct impact regarding public concerns is the reduced rear yard setback. The applicant is requesting a reduction of 0.1 metres or 3.94 inches. Staff is satisfied that this represents a minor reduction over the Thurlow zoning by-law rear yard standard.

The application also proposes buildings with a height of approximately 4.9 metres which is notably less than the permitted 11 metre height within the Low Density Residential Type 2 (R2) or Highway Commercial (C1) Zone.

Staff is supportive of the application as it meets the intent of the Provincial Policy Statement, and implements the policies of the City of Belleville Official Plan.

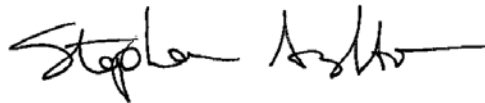
Staff further supports the approval of a Draft Plan of Subdivision (File: 12CD-19001) and recommends to the Belleville Planning Advisory Committee that Belleville City Council be requested to finalize approval of a draft plan of subdivision for the lands located at 427 Farnham Road.

In addition, Staff supports the approval of a Draft Plan of Common Element Condominium (File: 12CD-19001) and recommends to the Belleville Planning Advisory Committee that Belleville City Council be requested to finalize approval of a draft plan of common element condominium for the lands located at 427 Farnham Road.

7. Attachments

- Attachment #1** – Planning Advisory Committee Minutes, April 1, 2019
- Attachment #2** – Initial Public Correspondence
- Attachment #3** – Revised Supporting Documents from Applicant
- Attachment #4** – Planning Advisory Committee Minutes, June 3, 2019
- Attachment #5** – Public Correspondence from Revised Application
- Attachment #6** – Applicant’s June 3, 2019 Presentation to PAC
- Attachment #7** – Location Map
- Attachment #8** – Examples of Similar Roundabouts
- Attachment #9** – BTE Peer Review
- Attachment #10** – 26 m and 30 m Right-Of-Way Illustration Drawings
- Attachment #11** – Table of Public Concerns and Applicant Responses
- Attachment #12** – Angular Plane Illustration and Elevation Drawings
- Attachment #13** – Legal Description of the Subject Lands
- Attachment #14** – Proposed Draft Plan of Subdivision
- Attachment #15** – Proposed Draft Plan of Subdivision Conditions
- Attachment #16** – Proposed Draft Plan of Condominium
- Attachment #17** – Proposed Draft Plan of Condominium Conditions

Respectfully submitted



Stephen Ashton, MCIP, RPP, CAHP
Manager, Policy Planning
Engineering & Development Services Department

Respectfully submitted

Greg Pinchin, B.E.S., MCIP, RPP
Manager, Approvals
Engineering & Development Services Department

"The property has approximately 45.48 metres of frontage on St. Paul Street. The Applicant requests a rezoning of a portion of the subject lands from General Industrial (M2) Zone to Non-Retail Commercial (C5-13) Zone with special provisions to permit both residential and commercial uses."

Mr. Sig Schnell Agent for the Owner, spoke on behalf of the application and talked about the development proposal.

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

Moved by Councillor Culhane
Seconded by Councillor Sandison

THAT the "Schnell Investments Ltd." Planning Application be referred to the Regular Planning Meeting for further consideration.

-CARRIED-

- 3.2 NOTICE OF COMPLETE APPLICATIONS AND INTRODUCTORY PUBLIC MEETING FOR APPLICATIONS FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED; AND PROPOSED PLAN OF SUBDIVISION AND PLAN OF COMMON ELEMENTS CONDOMINIUM - 427 FARNHAM ROAD, FORMER TOWNSHIP OF THURLOW, NOW CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-1079 AND 12CD-19001
OWNER: HERITAGE PARK JN
APPLICANT/AGENT: RFA PLANNING CONSULTANT INC.

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

"The subject lands have approximately 99.3 metres of frontage on Farnham Road. The Applicant requests a rezoning from Rural Residential (RR) Zone to High Density Residential (R4-2) Zone with special provisions to permit 13 townhouse units with reduced setbacks and frontage, and increased lot coverage. The specialized zoning is requested to recognize a reduction in front yard depth, interior side yard setback, and exterior side yard setback; a reduction in corner lot frontage from 10 metres to 6 metres; and an increase in lot coverage from 30% to 50%. In the Official Plan, the subject land is designated as 'Commercial'."

City Council Planning
Committee Minutes

RFA Consulting Inc. (Agent) provided a summary of the development proposal.

Christine Krause resident of Moira Lea Court spoke against the application citing it is too dense for the lot in question.

Mr. Bruce Fox of 21 Moira Lea Court, echoed the sentiment that the lot is too small to house the proposed development, and is concerned about traffic.

Mr. Ryan Boulet another resident of Moira Lea Court voiced his concerns about the density and lot coverage.

Ms. Bev Spence stated she is worried about density, traffic and water drainage.

Ms. Jennifer Robertson voiced concerns over safety, especially with School buses.

Mr. Ed Lamonte of Simcoe Drive relayed his concerns with the traffic congestion that could be caused.

Mr. Bal Mistry spoke of his fears of increased traffic and congestion.

Ms. Sandra Hounslow a resident on Moira Lea Court stated her concerns with privacy, traffic, and effect on property values.

Mr. John Joy who resides at 37 Chestnut Drive voiced issues with traffic, and safety.

Mr. Bruce Feely resident of Essex Drive shared his concerns about traffic and pedestrian safety.

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

Moved by Councillor Culhane
Seconded by Councillor Kelly

THAT the "RFA Planning Consultant Inc." Planning Application be referred to the Regular Planning Meeting for further consideration.

- CARRIED-

THAT the Minutes of the City Council Planning Committee Meeting and the Planning Advisory Committee Meeting held on March 4, 2019 be approved and adopted.

-CARRIED-

4. **DEPUTATIONS**

There were no items brought forward under this section of today's agenda.

5. **COMMUNICATIONS**

- 5.1 Email regarding File No. 8-77-1073 was received from John Roeper, UCB Canada.

Moved by Kathryn Brown
Seconded by Councillor Culhane

THAT the email from John Roeper, UCB Canada, regarding File No. 8-77-1073 be received and referred to Reports Item 7.3.

-CARRIED-

- 5.2 Email regarding File No. B-77-1074 was received from residents of Kempton Avenue.

Moved by Councillor Culhane
Seconded by Councillor Sandison

THAT the email from "Andy" on behalf of the residents of Kempton Avenue, regarding File No. B-77-1074 be received and referred to Reports Item 7.4.

-CARRIED-

- 5.3 Letters/emails regarding File No. B-77-1079/12CD-19001 were received from Jennifer Robertson, Sandra Hounslow, Tammy and Raymond Robson and Bill and Bev Spence.

Moved by Paul Jennings
Seconded by Councillor Sandison

THAT the letters/emails from Jennifer Robertson, Sandra Hounslow, Tammy and Raymond Robson and

Bill and Bev Spence regarding File No. B-77-1079/12CD-19001 be received and referred to Referrals from Public Meeting Item No. 6.2.

-CARRIED-

- 5.4 Letters/emails regarding File No. B-77-1079/12CD-19001 were received in the Clerk's office subsequent to Agenda release.

Moved by Councillor Sandison
Seconded by Paul Jennings

THAT the letters/emails received in the Clerk's office regarding File No. B-77-1079/12CD-19001 be received and referred to Referrals from Public Meeting Item No. 6.2.

-CARRIED-

6. REFERRALS FROM PUBLIC MEETING

- 6.1 NOTICE OF COMPLETE APPLICATION AND INTRODUCTORY PUBLIC MEETING FOR APPLICATION FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED, 150 ST. PAUL STREET, CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-1078
APPLICANT/OWNER: SCHNELL INVESTMENTS LTD.
AGENT: SIG SCHNELL
-

The Planning Advisory Committee considered the "Schnell Investments Ltd." Planning Application in light of the Public Meeting.

Moved by Mayor Panciuk
Seconded by Councillor Sandison

THAT Report No. PP-2019-27 dated April 1, 2019 regarding Notice of Complete Application and Introductory Public Meeting for Application for Proposed Amendment to Zoning By-law Number 10245, as amended - 150 St. Paul Street, City of Belleville, County of Hastings be received as information; and,

THAT Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department.

-CARRIED-

- 6.2 NOTICE OF COMPLETE APPLICATIONS AND INTRODUCTORY PUBLIC MEETING FOR APPLICATIONS FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED; AND PROPOSED PLAN OF SUBDIVISION AND PLAN OF COMMON ELEMENTS CONDOMINIUM - 427 FARNHAM ROAD, FORMER TOWNSHIP OF THURLOW, NOW CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-1079 AND 12CD-19001
OWNER: HERITAGE PARK J N
APPLICANT/AGENT: RFA PLANNING CONSULTANT INC.

The Planning Advisory Committee considered the "Heritage Park" Planning Application in light of the Public Meeting.

Moved by Councillor Culhane
Seconded by Councillor Kelly

THAT Report No. PP-2019-28 dated April 1, 2019 regarding Notice of Complete Applications and Introductory Public Meeting, Applications for Proposed Amendment to Zoning By-law Number 3014 as amended; and Proposed Plan of Subdivision and Plan of Common Elements Condominium - 427 Farnham Road, former Township of Thurlow, now City of Belleville, County of Hastings be received as information; and,

THAT Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department.

-CARRIED-

Copy to:

Rod Bovay, Director of Engineering & Development Services
Stephen Ashton, Manager of Policy Planning
Greg Pinchin, Manager of Approvals
Thomas Deming, Policy Planner
Erin Baldwin, Administrative Assistant
From: Matt MacDonald, Director of Corporate Services/City Clerk

CITY OF BELLEVILLE:
RECEIVED

MAR 28 2019

Matt MacDonald
Secretary, Planning Advisory Committee
Belleville City Hall,
169 Front St., Belleville K8N 2Y8

Dear Mr. MacDonald,

Please advise us of the outcome of the Re-Zoning application
for 427 Farnham Rd.

Enclosed you will find our response since the outcome of any
Re-Zoning would directly affect us.

Sincerely,

██████████ & ██████████

4 Walnut Cres., Belleville, K8N OE3

██████████@gmail.com

Response to Application at 427 Farnham Rd. for Re-Zoning

The concept of a Service Rd. within the parcel of land would help to relieve traffic congestion from driveways of townhouses. The Service Rd. should be wide enough to accommodate visitor parking or service vehicles as needed. The entrance/exit from the Service Rd. needs to be "restricted" to the north end of 427 Farnham Rd. to avoid congestion from vehicles leaving the Round-About at Farnham Rd. Of course, there should be absolutely no Vehicle parking on the east or west side of Farnham Rd. in the area of this Parcel of land.

Thirteen townhouses on this small tract of land seems overwhelming. No mention is made as to whether they would be bungalow style or two storey. As we see it, about 6 attractive "bungalow" townhouses with double garages and driveways (to accommodate extra vehicles) would be more suitable to neighbourhood and the size of the property. Neighbours on Moira Lea Court would not appreciate buyers of two storey townhouses looking down on their backyards. Perhaps fewer townhouses would fit Rural Residential Zoning or Low Density Residential.

Considering the traffic congestion that accompanies High Density Housing, we cannot endorse High Density Residential zoning next to Farnham Rd. which is a major artery via Cannifton Rd/Hwy#37 or via Maitland Dr/Hwy#62 to Hwy#401 and the Core of the City. The residents, currently living in this neighbourhood, should not be saddled with traffic congestion in close proximity to a proposed Round-About. Hopefully common sense will prevail on this matter.

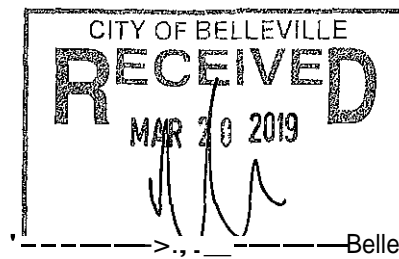
Sincerely,

 & 

4 Walnut Cres. Belleville, K8N OE3

@gmail.com

March 18, 2019



Home Owners
34 Moira Lea Court
Belleville, Ontario, K8N 4Z5

Matt MacDonald
Secretary, Planning Advisory Committee
City of Belleville

Copy to:
Rod Bovay, Director of Engineering & Development Services
Stephen Ashton, Manager of Policy Planning
Greg Pinchin, Manager of Approvals
Thomas Deming, Policy Planner
Erin Baldwin, Administrative Assistant
From: Matt MacDonald, Director of Corporate Services/City Clerk
RE: B-77-1079

RE: Objection to Amendment to Zoning By-Law #3014 (File No. B-77-1079)

As home owners on Moira Lea Court, we object to the proposed zoning amendment to Lot 9, Plan 21R-9053, City of Belleville, County of Hastings. Some of our primary concerns to this amendment are:

- **Poor Planning**-an amendment proposing high-density development was defeated in 2017. A new proposal, with six detached homes was presented at an open house in February 2018. Now, taking steps backwards, we are presented with another proposal trying to "cram" 13 townhouse units into this small piece of land. What about sidewalks? What about the planned roundabout?
- **Public Safety** – the intersection at Farnham & Maitland & Moira Lea Court is very busy, and not suitable to having additional residential traffic trying to access Farnham right where a traffic circle is planned. Any pedestrian traffic will be at a higher risk if the amendment is allowed.
- **Family Safety**- anyone living in the proposed townhouse units are at risk as pedestrians. If lot coverage is allowed to go from 30% up to 50% - where can townhouse residents safely play and walk? There is commercial development across Farnham (west side) and to the north same side as proposed. Sidewalks and/or walkways are not adequate from the plans that we see. Again, we feel it will be worse when the roundabout is built into the intersection.
- **Home Property Value** – Moira Lea Court (all detached homes) was the first street that was developed in Caniff Mills. All subsequent development, in the immediate area along the east side of Farnham has been single family houses. The proposed amendment would put a high-density mix of residential into our neighbourhood, potentially freezing or lowering property values.



Homeowner



Homeowner

Copy to: Rod Bovay, Stephen Ashton,
Thomas Deming
From: Matt MacDonald
Date: March 11, 2019

41 Moira Lea Court
RR5 Belleville, Ontario
K8N 4Z5
WITHOUT PREJUDICE

RECEIVED		
PLANNING SECTION		
MAR 18 2019		
	ACTION	INFO
S.A.		
T.D.		
E.B.		
J.B.		

CITY OF BELLEVILLE	
RECEIVED	
MAR 11 2019	

2019-03-11

Subject: File No.B-77-1079

**Notice of Complete Application and Public Meeting Zoning By-Law Amendment
Application 427 Farnham Road. Request to change from Rural Residential (RR)
to HIGH DENSITY RESIDENTIAL (R4-2)**

OBJECTION

Mr. Matt MacDonald
Secretary, Planning Advisory Committee
Belleville City Hall
169 Front Street
Belleville Ontario
K8n 2Y8

Dear Mr. MacDonald,

We the undersigned wish to OBJECT to the proposed changes requested as per the File No. B-77-1079 based on the concerns we have listed below.

1. The same request was defeated unanimously by the previous City Council only a few short months ago in 2018 with many of the same councillors at the table, including our new Mayor.
What has changed? The local residents have not changed their minds on this subject.
2. The site plan submitted with the current request is missing some key components. Those being the planned traffic circle (roundabout) and sidewalks which are part of the street revitalization. The traffic circle has curbs, buffers and medians in the middle of Farnham Road. These medians could interfere with the traffic flow from the proposed new High Density site proposed. Why does the site drawing not include the updated street construction planned for this coming year? We believe the previous request had accurate drawings and information within it.
3. Has the City of Belleville done due diligence when it comes to traffic flow and pedestrian safety in relationship to this part of Farnham Road? The road already has many issues do to the slope and sight lines of drivers and pedestrians in this area. Currently there are no sidewalks on either side of Farnham Road at this location. Removing any sidewalks to accommodate a rezoning is not acceptable and extremely dangerous for the citizens of all ages in our opinion.
4. We have at least four school buses picking up students on Moira Lea Court each day. The same school buses pick up students on Farnham Road in this area. Creating more density is going to increase the chances of an incident and mishap in our opinion.
5. Will the planned service road to access the 13 High Density units meet the safety standards of the Fire and City Works departments? Who will maintain this private access road?
6. Parking issues may arise when you have High Density in such a small area. Overflow parking will create issues on Moira Lea Court and/or Farnham Road. Safety of residents on Moira Lea Court either exiting or entering the Court while vehicles are parked on the street could be problematic with the roundabout so close to the entrance to the Court. Will emergency vehicles have to navigate the parked vehicles from the High Density Zone? Will

snow removal equipment have issues in the winter? These concerns need to be addressed before any approval is given.

7. If the proposed re-zoning changes were to be approved what safe guards does the City have to ensure that an apartment building like the one proposed last year would not be built? Plus this type of re-zoning could set a precedent for other small parcels of land in the City where a developer wants to build high density buildings without consideration of safety on the streets surrounding a site.
8. Will more effective street lighting be installed in this area to ensure better safety for the residents, vehicle drivers and pedestrians?
9. Currently we have witnessed drivers on Farnham east bound not coming to a full stop at the four way stop. Some, we feel do not understand how a four way stop works, with each driver taking their turn based on first to arrive. We are hopeful that the traffic roundabout helps with this problem. However, clear signage with arrows/instructions and speed restrictions will be key to the success of the roundabout. There are 2 entrances on the builder's site plan which appear to be very close to where the roundabout will begin.
10. Based on the information we have provided in our written submission we the undersigned are hopeful that the new Council and Mayor will turn down this request as did the previous Council of 2018.

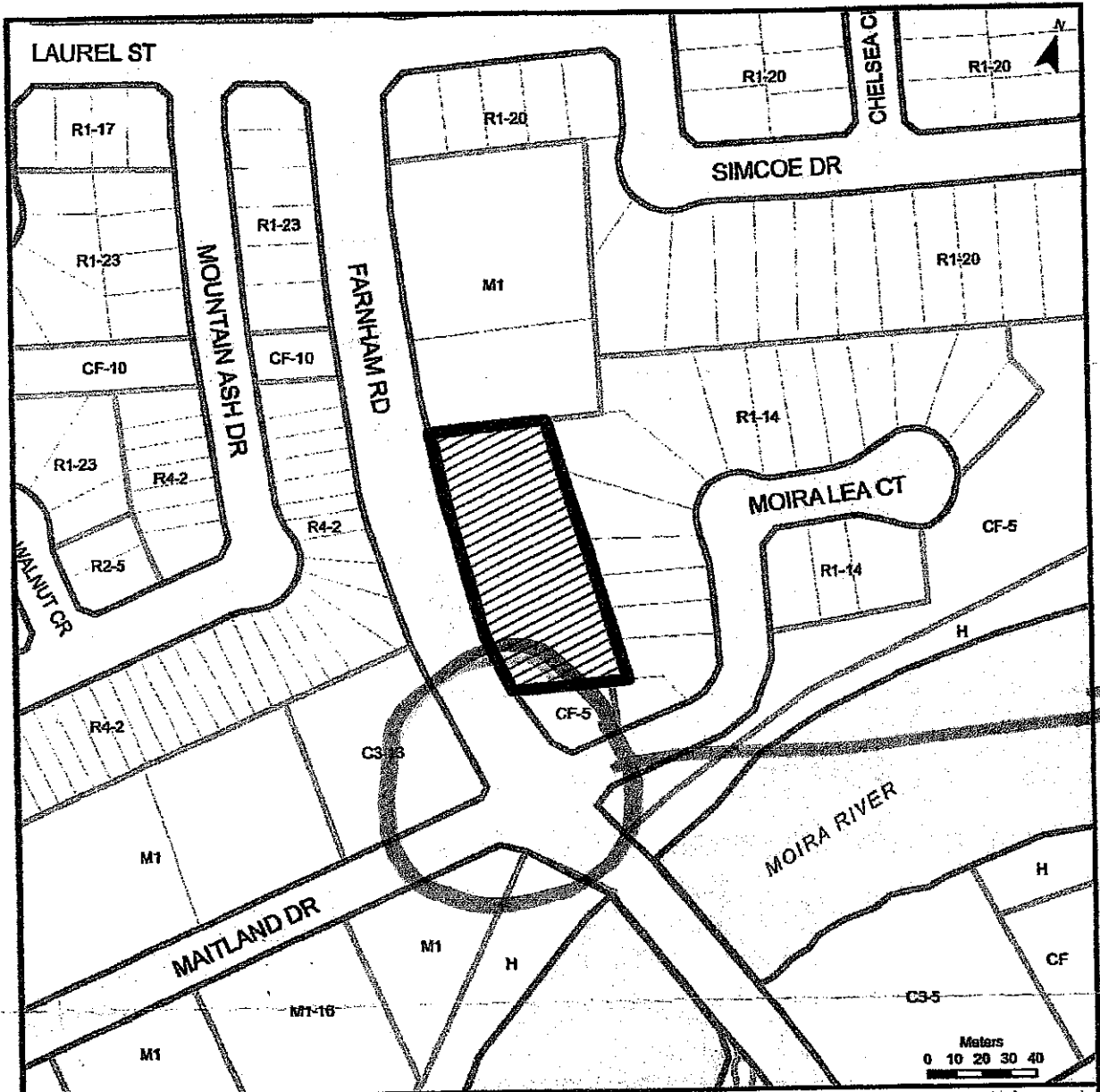
Yours truly,



CC: Mayor Panciuk and Councillors included.

Carr Sandison Culhane Kelly Malette McCaw Thompson Williams

APPENDIX 1




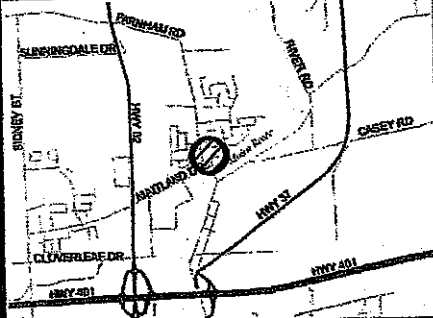
NOT CURRENT OR UP TO DATE

MISSING TRAFFIC CIRCLE & SIDEWALKS WAY?

PROPOSED ZONING BY-LAW AMENDMENT

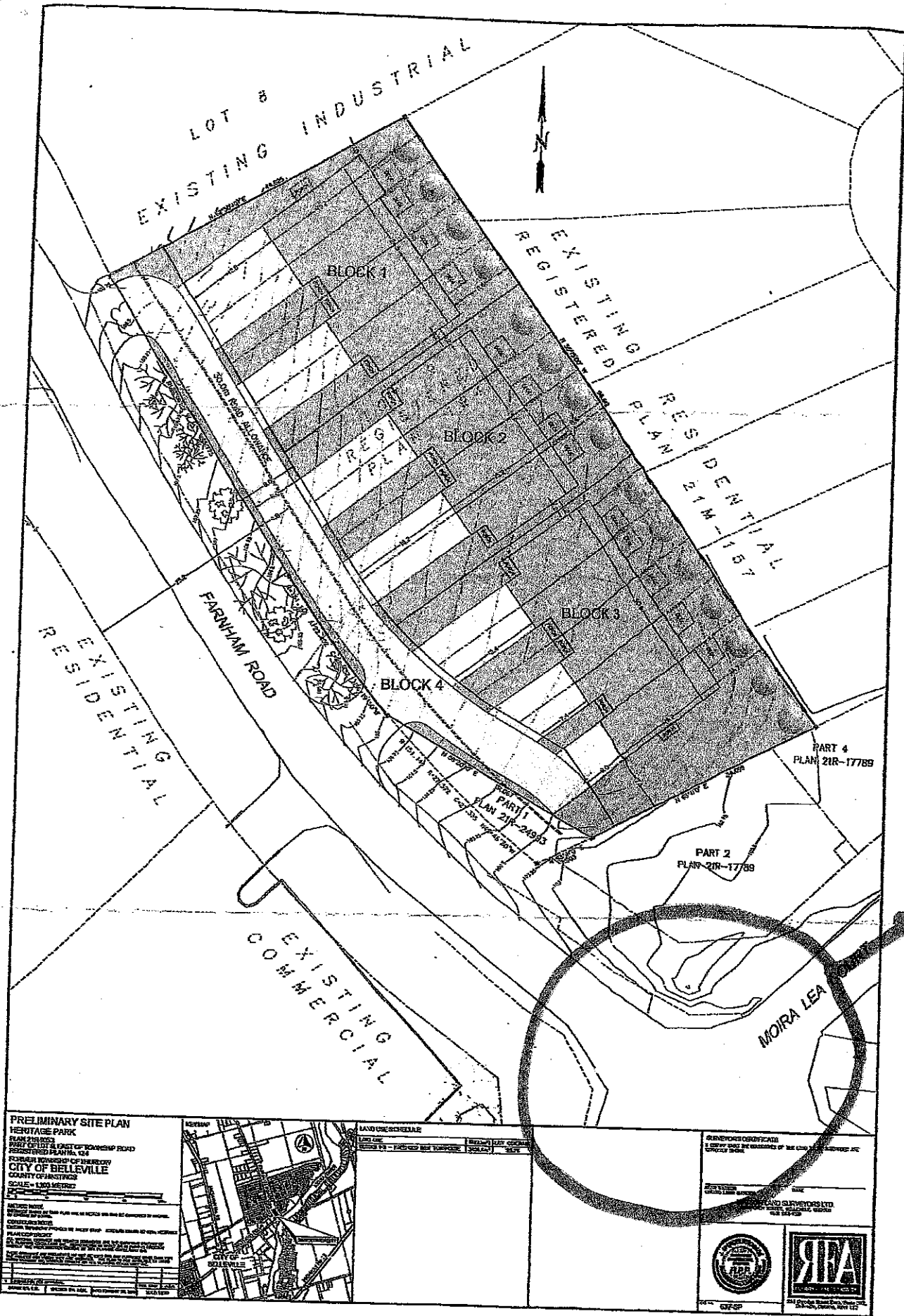
LOCATION: FARNHAM RD

 PROPOSED ZONING CHANGE FROM RR (RURAL RESIDENTIAL) TO R4-2 (HIGH DENSITY RESIDENTIAL WITH SPECIAL PROVISIONS)



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT

B-77-1079



From: [MacDonald, Matthew](#)
To: [Mayor and Council](#)
Cc: [Bovay, Rod](#); [Ashton, Stephen](#); [Deming, Thomas](#); [Pinchin, Greg](#); [Pallo, Cheryl](#); [Stitt, Jennifer](#); [Forestell, Angela](#); [Keays, Christina](#); [Baldwin, Erin](#)
Subject: Fwd: Housing proposal at the intersection of Farnham and Maitland
Date: Thursday, March 21, 2019 9:53:39 PM
Attachments: [Farnham Development 2019.pdf](#)
[20190312_112304.jpg](#)

Fyi

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----- Forwarded message -----

From: "[REDACTED]" <[REDACTED]@cogeco.ca>
Date: Thu, Mar 21, 2019 at 9:43 PM -0400
Subject: Housing proposal at the intersection of Farnham and Maitland
To: "MacDonald, Matthew" <mtmacdonald@city.belleville.on.ca>

Please find attached a letter regarding my thoughts and concerns regarding the Heritage Park Joint Venture at the intersection of Maitland and Farnham. I plan on attending the public meeting at city hall on April 1st and would like to be informed of the decision made regarding this proposal.

Thanks,

[REDACTED]
17 Moira Lea Court
Belleville, On
K8N 4Z5

[REDACTED]

Matt MacDonald, Secretary
Planning Advisory Committee
City of Belleville - City Hall
169 Front Street
Belleville ON K8N 2Y8
Fax: 613-967-3206

Dear Mr. MacDonald,

My name is Sandra [REDACTED] and I am writing you today regarding the amendment to zoning by-law number 3014 re: Lot 9, Plan 21R-9053, City of Belleville, County of Hastings, re: the potential construction project of a new 13 townhouse on Farnham Road.

I currently reside on Moira Lea Court and I am extremely concerned about these new potential buildings. For instance, once the 13 townhouses are completed, my property will be on the opposite side of them. Not only will this be a noise concern for myself and my neighbours, considering the increase in traffic due to the 13 close townhouses but also the noise coming from the units themselves. The residents of the neighbourhood and I strongly believe that the noise will cause issues for the homes and townhouses in the vicinity.

Further, the new buildings are being proposed on only approximately one acre of land. This seems way too small of a parcel of land to be building such units. They also have amended plans and now are going to have a private road leading to the units themselves but I wonder who will ultimately maintain it especially with snow removal and ongoing typical road maintenance. The best case scenario would be that these buildings would be extremely close to the existing neighbourhood – that is to say, there would not be sufficient space for privacy between these new buildings and the existing houses. The townhouses are going to be 3 storeys many of which would likely have unique vantage points into our backyards or our windows at all times of day. This could not be mitigated in a similar way to another house (for instance, a fence between yards) as some units would be elevated.

Additionally, the residents of my neighbourhood and I are unsure how the City thinks it will successfully and safely build these units without causing harm to the homes and property adjacent to these buildings. For example, we are concerned about flooding due to water run-off as we are at the bottom of a hill. Currently, the water goes past our homes or is absorbed into the earth, but with obstructions in the way such as buildings and pavement, we are worried about water pooling and subsequently causing flooding.

My neighbourhood is also extremely concerned about the following safety issue we would potentially have to deal with. The corner of Farnham Road and Maitland Drive is an extremely

busy intersection. So busy, that the city is implementing a 2-lane roundabout to help with the flow of traffic. The extra traffic both by bicycle, vehicle, and pedestrian will be, in my opinion, a safety concern with the plan as-is. Currently this intersection is the detour route when there is an accident on the 401. With the already high-level of traffic we see, and the constant issue with the existing four-way stop and lack of respect for pedestrians, we feel that adding more everyday traffic by building 13 townhouses immediately off of this new roundabout is certainly a greater risk for a neighbourhood that walks family pets and more importantly has children. Even further, as I'm sure you're aware, the City of Belleville is trying to promote the Waterfront trail that runs behind Moira Lea Court, and behind the subdivisions. This means a natural increase in people walking, biking, and otherwise enjoying the trail. The addition of 13 townhouses causes an influx not only in pedestrians, but also in daily traffic. I am also concerned that if there is an accident at the roundabout vehicles could crash out of the roundabout into the proposed townhouses as they will be so close. I am not aware of another high traffic area that could have housing so close to it and seems very unsafe for the residents and their property.

The area is already a concern for speeders. I worry that with the addition of these townhouses, this problem could become worse or potentially more dangerous for the people in our neighbourhood. We have a lot of children living in our area and the constant flow of incoming and outgoing traffic could mean someone is injured. Earlier this past week on Tuesday, March 12th a transport truck carrying wood had mechanical issues and straddled the intersection for almost an hour. A service truck came and was able to get it going and it was able to drive up the hill a bit so they could work on it, freeing up the intersection for the constant traffic that was attempting to get around it. I mention this to point out the ongoing issues we have at a very busy intersection where the plan is to add more homes to an already congested area. I am strongly pleading with you and the Committee to not proceed with this amendment and to reject the construction 13 townhouses. Due to the noise, flooding, and safety concerns, the residents of my neighbourhood and I absolutely do not want this construction project to proceed any further.

Please let me know the decision that the Committee ultimately makes.

Thank you,

Sandra 



From: [MacDonald, Matthew](#)
To: [Mayor and Council](#)
Cc: [Bovay, Rod](#); [Ashton, Stephen](#); [Deming, Thomas](#); [Pinchin, Greg](#); [Pallo, Cheryl](#); [Stitt, Jennifer](#); [Forestell, Angela](#); [Keays, Christina](#); [Baldwin, Erin](#)
Subject: Fwd: 427 Farnham Road - File No: 12CD-19001
Date: Tuesday, March 19, 2019 7:34:59 PM

FYI

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From: "Jennifer [REDACTED]" <[REDACTED]@gmail.com>
Date: Tue, Mar 19, 2019 at 7:31 PM -0400
Subject: 427 Farnham Road - File No: 12CD-19001
To: "MacDonald, Matthew" <mtmacdonald@city.belleville.on.ca>

City Council - Belleville

I am writing this letter with regard to the application for approval of a Draft Plan of Subdivision and a Draft Plan of a Common Elements Condominiums for lands described as 427 Farnham Road.

I live on Moira Lea Court, and as much as I look forward to the Roundabout development at our 4 corners, I have serious concerns for safety when adding 13 Condominiums to the same area.

First, with no sidewalks along Farnham Road and with the amount of people (adults, teenagers, young kids and pets) who walk, bike or jog in that area, the added traffic, 13 Condominiums are going to create, will raise the risk of injury to another level.

Second, I'm sure there are going to be students who ride the school bus in those Condo's. Have you taken into consideration, that when a school bus stops and puts on their flashing lights, drivers must stop 20 metres either in front or behind the bus. This could bring the traffic, on your Roundabout, to a dead stop! I'm certain that's not how they're suppose to work. Also, there could be up to 5 different buses, in front of these Condo's, twice a day. That seems like an "accident waiting to happen!"

Third, you cannot ask a parent, to allow their children, to walk up Farnham Road to catch their bus with all the extra traffic and no sidewalks.

Fourth, I have a concern as to where the overflow of visitors and their vehicles, will be parking. Moira Lea Court has no sidewalks, so if they park on our Court, that means we walk down the middle of the road and cars coming into our Court or leaving, drive down the centre of the road as well.

When you look at all the different concerns, put them together, it becomes a very unsafe area for traffic as well as the Human Factor.

Thank you for taking the time to hear my concerns.

Jennifer [REDACTED]
Moiria Lea Court Resident.

From: [MacDonald, Matthew](#)
To: [Bovay, Rod](#); [Ashton, Stephen](#); [Deming, Thomas](#); [Pinchin, Greg](#)
Cc: [Pallo, Cheryl](#); [Stitt, Jennifer](#); [Forestell, Angela](#); [Keays, Christina](#); [Baldwin, Erin](#)
Subject: Fwd: Written Submission Re: File No. B-77-1079
Date: Friday, March 22, 2019 6:51:57 PM
Attachments: [65AA60B6018C49D48A59096F4D378190.jpg](#)
[A8E39ED75D8241628C3C10C6396E8BB5.jpg](#)
[498274A752334851B41708CEB1DA28BA.jpg](#)
[9925E8DE5D224E539840AD493482149F.jpg](#)
[6177499288BB490FBDBE593F90E3C489.jpg](#)
[96645621957A48658D4557BD3F82598A.jpg](#)
[9F1DE6613DB74C449412718A7579DD11.jpg](#)
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[BDE3FF433510492181054B6B1BE28666.jpg](#)
[5F96819760624D05BEA212E1E325DD5C.jpg](#)
[934ECF3A370F41D29B5A56510B80D45E.jpg](#)
[EFE04D19E1D8401B89E1125DDB4D19F0.jpg](#)
[Farnham Road Proposal PAC April 2019 - Revised final\[1225\].docx](#)

Fyi

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From: "Tammy" <[REDACTED]@cogeco.ca>
Date: Fri, Mar 22, 2019 at 6:47 PM -0400
Subject: Written Submission Re: File No. B-77-1079
To: "MacDonald, Matthew" <mtmacdonald@city.belleville.on.ca>

Dear Sir,

Please find enclosed , my written submission and photos, as well as petition opposing this development, regarding File No. B-77-1079, that is to be discussed at the April 1, 2019 PAC meeting. I wish to be advised of the committee and Council decision on this matter.

Thank you,

Tammy [REDACTED]

City of Belleville

169 Front Street, Belleville, Ontario

Planning Committee Meeting, April 1, 2019

FILE NO. B-77-1079 and FILE NO. 12CD-19001

Amendment to Zoning By-Law Number 3014 as amended

Good evening to all members of the Planning Committee. Thank you for the opportunity to present our submission in regards to the above noted matter.

Since my daughter and her family are unable to be here tonight, they have asked me to present their submission on their behalf. [REDACTED], [REDACTED]

[REDACTED] have resided at 23 Moira Lea Court in the City of Belleville since 2002.

I am here tonight as a very concerned property owner, and City of Belleville taxpayer, to speak to the matter before us tonight, Monday April 1, 2019, specifically, an application to consider the amendment to Zoning By-Law Number 3014 as amended, as set out in the City of Belleville Notice of Public Meeting. This notice was received on March 7, 2019. Also received on this date was an envelope addressed to the "Occupant" of each address. The return address area was marked with the RF Planning Consultant logo and street address. Inside, contained a notice of a public information meeting being held March 20, 2019 at the Quinte Sports and Wellness Center. Usually, notices that come addressed this way to me, do not get opened. In future, these notices should be addressed to the homeowner to ensure they are received properly, and so they are made fully aware of any upcoming public meetings.

I would like to point out that several members of this committee and other council members were present, and voted to deny the last development application in 2017.

Before I begin, I want to recognize that the proposal for development this time around, was completed more thoroughly, and was more comprehensive to take into consideration, some of the concerns raised by neighbours in December of

2017. However, it failed to address the real concern that was raised around the safety of such a development, in the near proximity of a major intersection that will soon undergo the construction of a roundabout.

As mentioned at the December 2017 PAC meeting, there has been substantial development in this area over the past 17 years. With the massive building of hundreds of homes in Canniff Mills and Heritage Park subdivisions, we have experienced firsthand, the impact that all of the development in this area has created for all families residing here – poor planning in this area has extremely large subdivisions (Canniff Mills and Heritage Park) having minimal entrances, and most traffic from these areas would exit onto Farnham Road.

The proposed development plan that was included on the back of the Notice of Application failed to show the placement and location of the pending roundabout. If this roundabout construction is slated to start construction this spring 2019, should it not have been indicated? If it had, it would clearly have shown that any traffic that would exit from this new development at the south end (across from the Consumers Carpet loading exit) would impede traffic flow from the north arm of the roundabout. The median from this arm would end a short distance from both of these drives.

Interestingly, as stated in the proposal; **“the traffic characteristics of Farnham Road are the single biggest determinant in locating the proposed townhouses on this property. This property is not suitable for single detached dwellings”**. Clearly with this statement, the developer recognizes the traffic issues as indicated above. The proposal also states as an excerpt from the City of Belleville Official Plan; **“that care should be exercised to ensure access from medium density housing onto major traffic carriers is provided in a safe manner, and should not be permitted or allowed to be developed in any form where access to the roadway from driveways would create a traffic hazard”**.

The photos included with the submission clearly show that currently without such development of townhouses or roundabout, there is already a serious concern. With the daily/weekly deliveries happening at the commercial property on the west and east side of Farnham Road, with a median in the roadway and two proposed drives from the development across the road, this is surely to be a further hazard, and cause significant and unsafe traffic delays (as I have seen

firsthand when taking the photos) and queuing of traffic, which **the Farnham Road master plan 2015 states; “the roundabout is expected to reduce”**. I attended, as did some of my neighbours, several years ago, the public information session held in regards to the roundabout project.

The proposed plan indicates a **“common element drive”**. I understand from this proposal that this is to be maintained by the condominium owner(s). My concern is, where will the snow be plowed to on this drive? If we have a winter with significant snowfall, my concern would be that the snow would be pushed to the north end of the drive, causing reduced visibility for those exiting at the north entrance and a significant safety issue.

The proposal also states the **City’s Plan also requires “a 30 metre right of way be protected northward along Farnham Road to allow for any future road widening to accommodate additional development further north”**. Consequently, this requirement forces development on the subject lands eastward to maintain opportunity of future road widening”. **What happens to the “common element drive” arrangement when the road is required to be widened sometime in the future? Should this issue not be dealt with at this time BEFORE any development on this property?**

The townhomes proposed will be similar in design to those already constructed on the west side of Farnham Road. The setback allowances there are what are being proposed in this development. The differences are: 1) those townhomes are not backing onto an established neighbourhood of single-family homes and; 2) the traffic situation is completely different.

The development proposed states **“parking for 2 cars per drive”**. Where will visitors park? This is already a concern of many of the residents of the Heritage Park town homes. There are constant issues of visitors blocking the drives of other residents. I am sure that the common element drive will not allow for extra parking, and I foresee visitors parking on Moira Lea Court.

As per the proposal, **“the rear 1/3 of the of the property will slope eastward”**. The proposal also identifies **“sheet drainage running north to south, ending up across Moira Lea Court and into the Moira River”**. Supposedly a new north/south swale will be built for storm water. I have seen the uselessness of these swales first hand. We had one in our backyard when our house was first built. Because

of grading that happened during the development of the new Canniff Mills subdivision, this swale during heavy rain, would often resemble a fast-flowing river that often overflowed onto our back lawn. The continued flow of water running like this resulted in this “swale” turning into a 2-foot-deep ditch, another very serious safety concern for current property owners. As we are all aware, water is a very difficult thing to control.

This proposal request asks for specialized zoning to recognize a reduction in front yard depth, interior side yard setback, and exterior yard setback, a reduction in corner lot frontage from 10 metres to 6 metres, and an **“increase in lot coverage from 30% to 50 %”**. **This increase in lot coverage alone will increase the surface run off.**

The developer has also stated in this proposal that he will contribute a 5% cash-in-lieu of parkland to the municipality. Clearly the developer can see that this project will eat up all remaining greenery on this property. With this development, the area will look more “institutional” than ever before.

Finally, the proposal concludes with a statement that; **“if the subject property is not to be used residentially then it would have to be rezoned to commercial use”**. I do not believe that this would be a suitable usage of the land either, as the aforementioned concerns, especially with the roundabout construction, would also apply to a commercial property as well. I firmly believe that this space should be left as undeveloped green space. Large communities like London Ontario have spaces like these in residential areas, particularly where traffic flow is a major concern.

I ask you, as a committee to consider seriously, what I and my neighbours are stating. I understand the need for housing in the city, but there are more appropriate areas for development, than this small parcel of land. The allowance of these by-law and zoning changes will have serious negative implications for years to come, and could set a dangerous precedent to be used by developers, without regard to the public/taxpayers of the City of Belleville. I believe, the city already is dealing with the repercussions of past poor planning decisions at major intersections in our city. This might be an opportunity to think about everyone in the city, not just the developers. These unsafe, major intersections, especially in a

highly populated residential area, should be of a concern to everyone who travels our roadways.

I ask that elected officials and city employees REJECT this proposal.

Respectfully submitted the 22nd day of March, 2019.

[REDACTED]

[REDACTED]

23 Moira Lea Court

Belleville, Ontario

K8N 4Z5

























This document contains information which is being furnished to you for your information only and is not to be distributed outside your office.

- | NAME | ADDRESS | PHONE | REMARKS |
|---------------------|--------------------------------|-------|------------|
| • Alexander Fleming | 20 Main Ave. Ct. 20-201-1234 | | Washington |
| • James Robertson | 27 Main Ave. Ct. 20-201-5678 | | Washington |
| • Robert | 91 Main Ave. Ct. 20-201-9012 | | R. Hill |
| • John | 12 Main Ave. Ct. 20-201-3456 | | John |
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- " Gary Gufford 41 2000 St
- " Lee Christy 39 3000 Dr
- " Krista Lewis 31 "
- " B. Horvath 31 "
- " P. Lomada 39 2000 St
- " Mike Miller 29 2000 St
- " Paul McDonald
- " John Smith 27 Hamilton St 968-2275 Jerry Chr
- " Jerry Lynn 23 Morris Ave 969-0245 Jerry Chr
- " John Smith 23 Morris Ave 968-2275 Jerry Chr
- " John Smith 19 Morris Ave 83-4400 Jerry Chr
- " John Smith 19 Morris Ave 615-344-4792
- " John Smith 23 Morris Ave
- " Bruce & Carol 21 Morris Ave

Baldwin, Erin

From: MacDonald, Matthew
Sent: Friday, March 29, 2019 11:04 AM
To: Bovay, Rod; Ashton, Stephen; Deming, Thomas; Pinchin, Greg
Cc: Pallo, Cheryl; Stitt, Jennifer; Forestell, Angela; Keays, Christina; Baldwin, Erin
Subject: Fwd: Opposition to an amendment to Zoning By-Law Number 3014
Attachments: opposition to amendment to zoning.docx

Cheryl, From this point forward can you print the correspondence so it can be taken to PAC Monday evening to be received.

Thanks

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From: "[REDACTED]" <[REDACTED]@cogeco.ca>
Date: Fri, Mar 29, 2019 at 10:51 AM -0400
Subject: Opposition to an amendment to Zoning By-Law Number 3014
To: "MacDonald, Matthew" <mtmacdonald@city.belleville.on.ca>

Dear Mr. MacDonald,
Please see the attached letter opposing the the amendment to Zoning By-Law Number 3014 to allow the development of 13 townhouse units.

Thanks
[REDACTED]

March 27, 2019

Matt MacDonald Secretary
Planning Advisory Committee, Belleville City Hall
169 Front Street
Belleville, ON K8N 2Y8

Dear Mr. MacDonald

We are writing you to express our opposition to a proposed amendment to zoning by-law number 3014 for the property located on the east side of Farnham Road, which is known as 427 Farnham Road, to permit thirteen townhouse units.

We reside at 19 Moira Lea Court, Belleville. The proposed townhouse units would be located behind our property. We have serious concerns of the impact these units would have both on road safety, flooding, and privacy.

The proposed units would be on a significantly small parcel of land, at an unreasonably close proximity to the soon to be constructed roundabout at the Farnham Road, Moira Lea Court and Maitland Road intersection. The road/driveway for the proposed townhouse units would be exiting onto Farnham Road, which has a downward slope as it approaches the said intersection and roundabout. Having vehicles exit at an extremely close proximity to the roundabout, and a sloped road, would interrupt roundabout flow and create a high risk accident area. We are very concerned about our safety and the safety of our neighbours and community in this regard.

Any high density development of a small parcel of land at a roundabout seems inappropriate, however if any development is to be assessed, it should be after a roundabout is completed when a realistic and accurate assessment of traffic flow, volume and impacted property could be considered. Therefore, the timing of this proposal is inappropriate and premature.

Due to the insignificant size of the land and its proximity to other homes, this location for tall townhomes (3 level when considering the walk out basement) is unreasonable. The property for the proposed townhome units is at a much higher ground than the property backing onto it. These townhomes would not compliment our property, but instead be very intrusive. Its deck would practically be up to our property line and would allow full view of our house and backyard area. A privacy fence would not be high enough to create privacy. As a result, townhomes would have an unobstructed view of our backyard and patio area.

We also have serious concerns with the risk of flooding on our property with any major development behind our land. In the spring, when the snow melts or during heavy rainfall, we normally have some water gather in the furthest section of our backyard. Because the property behind ours is at a higher

level, there would be limited areas for the water to drain, compounding the problem of water gathering on our property, and creating the risk of flooding in our back yard.

Our family gardens and enjoys using our patio. The development of these tall townhomes would negatively impact the quality of our backyard life and the future resell of our property. In addition, the location of the proposed townhouse units present accident risks around the Farnham/Moira Lea/Maitland intersection and could impede traffic flow, contradicting the purpose of a roundabout.

We are asking you to not proceed with this amendment and reject the construction of the thirteen townhome units.

Thank you,

A solid black rectangular redaction box covering the signature area.

From: [MacDonald, Matthew](#)
To: [Bovay, Rod](#); [Ashton, Stephen](#); [Deming, Thomas](#); [Pinchin, Greg](#)
Cc: [Pallo, Cheryl](#); [Stitt, Jennifer](#); [Forestell, Angela](#); [Keays, Christina](#); [Baldwin, Erin](#)
Subject: Fwd: April 1st PAC
Date: Tuesday, March 26, 2019 9:52:55 PM
Attachments: [my submission re Hutchison.docx](#)

Fyi

Get [Outlook for Android](#)

----- Forwarded message -----

From: "[REDACTED]" <[REDACTED]@bell.net>
Date: Tue, Mar 26, 2019 at 8:56 PM -0400
Subject: April 1st PAC
To: "MacDonald, Matthew" <mtmacdonald@city.belleville.on.ca>

Re: Application 427 Farnham Road.

Please include the attached submission in the package to the Committee members, in regards to the above noted matter.

Thank You.

City of Belleville
169 Front Street, Belleville, Ontario
Planning Committee Meeting, April 1, 2019
FILE NO. B-77-1079 and FILE NO. 12CD-19001
Amendment to Zoning By-Law Number 3014 as amended and
Draft Plan of Common Elements Condominium
File No. B-77-1079

Matt MacDonald, Secretary
Planning Advisory Committee
169 Front Street, Belleville, Ontario

Dear Sir:

I would like my submission to be included for consideration at the above noted meeting and I would like to be notified concerning any decisions in regards to this matter.

I attended the Public Meeting and presentation made by Mr. Spencer Hutchison as representative for Heritage Park Joint Venture, in regards to the above noted application on March 20 2019, held at the Quinte Wellness Centre.

I concur and agree with all the information in the many submissions you have already received in regards to 427 Farnham Road Application and have the same very serious concerns about the matter.

Mr. Hutchison advised us at the Public Meeting; “because of the Housing Summit held recently in Belleville this proposal is what the City wants in order to help address the housing shortage.” That comment left all of us with the impression this proposal was a “done deal” and already had the approval of the City. Surely that would not be the case, since it had not even been presented to Planning Advisory or to Council!

Mr. Hutchison kept referring to the 30-metre road allowance and the Common Elements Condominium and because this agreement was included in the Application, there would be no problem with the proposal, because this Condo arrangement would cover the necessary property required when or if a 4-lane roundabout was required. On your own Farnham Road Master Plan, it shows **“property required”** from this particular parcel of land in order to accommodate the Roundabout right now when construction begins. What exactly does this kind of arrangement with the City mean? The proposal states “construction and on-going maintenance of this laneway and associated on site infrastructure (water and sanitary sewer) will be the sole responsibility of the new condominium and not the Municipality”. What happens to this Common Element Road in the future if this proposal is approved? If further road widening is required due to traffic concerns because of the further development being approved on Farnham Road, will this “Common Road Element have to be expropriated?

In 2017 a similar proposal was suggested and was unanimously rejected. All the same safety issues remain, and changing the City By-laws to accommodate the developer should not be acceptable.

I respectfully request this proposal be REJECTED again!

Thank you for your consideration this 26th day of March, 2019.

████████████████████

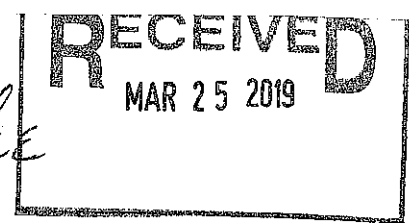
217 Bridge Street East, Apt. 608

Belleville, Ontario

K8N 5E4

Belleville City Hall
169 Front St. Belleville K8A
Att: Matt MacDonald
Secretary Planning Advisory Committee

Copy to:
Rod Bovay, Director of Engineering & Development Services
Stephen Ashton, Manager of Policy Planning
Greg Pinchin, Manager of Approvals
Thomas Deming, Policy Planner
Erin Baldwin, Administrative Assistant
From: Matt MacDonald, Director of Corporate Services/City Clerk
RE: B-77-1079



RE Amendment to zoning by law. 3014

There are six homeowners in the shadow of this proposed high density project. They use their backyards for privacy, play and outdoor events. The character of each of these homes will be changed forever.

A three storey wall twenty feet away blocking the sun and raping all six of us of our privacy. The decks of the new residents fifteen feet away and higher than the fence they will be providing. The six homeowners will have this backdrop to gaze at.

Everyday!

This changes the character of our pristine quiet neighbourhood and reduce the property values of at least six of us, not for a short time but forever!

Drainage of this proposal is said to be collected and piped to the storm systems? I didn't notice any catch basins or underground piping for storm water. This land naturally pushes storm and melt water to the south east corner.

at the south east corner is an emergency pump house protecting thousands of homes from power failures and storm resulting catastrophies (sewage etc). This expensive taxpayer building has under grade pumps and could jeopardize the emergency generator that powers it is at the grade of the ground.

The developer is covering the acre of land with thirteen family units. He is spreading a non absorbeny building over ground that naturally absorbs storm water.

This building and the house beside it (mine) need to be protected from water surges caused by storm run off, not a ditch with two rows of sod.

Regarding the traffic circle and safety. The purpose is to allow smooth flow of traffic to thousands of new homes, this is a great idea. Remove the stop signs and insert a high density residential driveway??

The entrance to thirteen family homes will have children playing basketball and hockey nets and cars jockeying in and

out of cramped parking spots, snow plowing etc.

The standards of entry and exit to block four will have to be Hwy standards for buses, snow removal, garbage trucks with large exit and entry points.

The recycling truck takes 60 seconds at my house if two people start to stop. Multiply by 13 and force traffic off the circle into opposing traffic up a steep grade on a corner.

Imagine - 13 families, one acre, steep grade, sharp curve

I have every confidence that the City of Belleville and it's planning staff will handle the proposal in a courteous manner and quickly.

Mark Vaters - HOMEOWNER
Tony Sedard - HOMEOWNER

From: [MacDonald, Matthew](#)
To: [Bovay, Rod](#); [Ashton, Stephen](#); [Deming, Thomas](#); [Pinchin, Greg](#)
Cc: [Pallo, Cheryl](#); [Stitt, Jennifer](#); [Forestell, Angela](#); [Keays, Christina](#); [Baldwin, Erin](#)
Subject: FW: re proposal B-77-1078
Date: Monday, April 01, 2019 2:23:34 PM
Attachments:

FYI

Matt MacDonald
Director of Corporate Services/Clerk
Corporate Services Department
Corporation of the City of Belleville
ph. (613) 967-3256
fax (613) 967-3206



Follow us on:



From: Peter [mailto:████████████████████]
Sent: Monday, April 01, 2019 1:26 PM
To: MacDonald, Matthew
Subject: re proposal B-77-1078

Sent from [Mail](#) for Windows 10

Attn Mr. Matt Macdonald

Dear sir,

As per the proposal to allow 13 Town houses to be built (High density housing) on the corner of Farnham and Maitland RD. In my opinion this would impair the proposed traffic circle which is to be built in 2019 or 2020. It also would create a problem with the widening of Farnham RD along with the installation of sidewalks.

I do not live in Belleville at this time, but I have purchased riverfront property on CANNIFTON Rd North and will be building a house at 101 CANNIFTON Rd North in approximately 3 years from now.

In other words I would say no to the proposal.

Please bring this up in the meeting this Evening at 530 pm at city Hall.

Best Regards,

Peter ██████████

From: Carr, Paul
Sent: Friday, April 05, 2019 8:24 AM
To: Ashton, Stephen
Cc: MacDonald, Matthew
Subject: Fw: Proposed development at the corner of Farnham Road, Maitland Dr. and Moira Lea Crescent

Good morning,

Please note below for information and distribution to PAC members.

Thanks.

Paul Carr
Councillor - Ward 2
City of Belleville
613-847-0645

From: [REDACTED]@gmail.com
Sent: April 5, 2019 8:10 AM
To: councillor.carr@belleville.ca; mayor.panciuk@belleville.ca
Cc: councillor.culhane@belleville.ca; councillor.malette@belleville.ca; councillor.williams@belleville.ca; councillor.thompson@belleville.ca
Subject: Proposed development at the corner of Farnham Road, Maitland Dr. and Moira Lea Crescent

Dear Mayor Panciuk and Council Members,

I'm writing to you today to voice my very strong opposition to the proposed 13 unit townhouse complex at this location, the very same spot where the city will be constructing a traffic circle in the spring/summer of this year.

The high volume of traffic presently at this location, the slope of Farnham as it approaches the Maitland/Moira Lea intersection, the school bus stops along that stretch of road, the commercial development, and the business plaza at the opposite corner of the road already create enough congestion and difficulty navigating in this area. Couple that with the continued expansion of both the Canniff Mills and Heritage Park residential developments and anticipated additional levels of traffic volume, this area is already in my opinion beyond capacity for the current road design. Furthermore, the recreational trail from Canniff Mills ends at this very intersection adding more pedestrian traffic as people transition into Canniffon proper. Vehicles routinely park at the end of this trails as people from outside of the area access it as well, adding even more safety concerns and issues. Adding additional

housing to an already congested corner, which will become a traffic circle requiring an additional access point is not only a very bad idea, but completely poor planning on the part of the city as well as the developers. Frankly, had actual planning been taken into consideration by previous councils and developers the parcel of land in question should actually have been taken as part of the Moira Lea development and structured accordingly. To try and "squeeze in" a fourth development in this area is nothing short of ridiculous.

I understand this council had nothing to do with the previous planning, etc., but this council does have the ability to ensure smarter decisions are made regarding development of city lands and I'm asking that you and City Council make the smart decision in this situation.

I'm sure you well know the capacity of Farnham Road and Maitland Drive is almost beyond capacity at this point in time - not taking into account the additional many hundreds of houses still to be built in Canniff Mills and Heritage Park. Is it really necessary to cram an additional 13 units into such a tiny space in such a difficult location?

This brings to mind many questions:

- How could all of these potential property owners even access their property?
- Where would the new additional road go? Off Farnham? Off Moira Lea?
- Would it directly access the traffic circle?
- Given the traffic circle is being constructed this spring/summer would it have to be torn up and redone once the development is completed?
- At who's cost would that happen?

I would also question the size of the lots and how they would tie in with the rest of the developments in the surrounding neighbourhoods. With such a small parcel of land, how will the parking of resident vehicles be accommodated in addition to the footprint of the townhomes. The development of Cannifton proper specifically Cannifton Road with all of the rental homes with the gravel driveways which double as front lawns is nothing other than a complete eyesore and again, speaks to poor planning and development practices. Couple this is the risks to the small children of the neighbourhood who have very little area for play at their family homes. Almost daily there are children careening very close to the heavy volume of traffic on Cannifton Road. Do we want to create the exact same type of situation again?

As a resident of Canniff Mills, I would have attended this meeting had I known it was happening. I actually searched, without success, the City of Belleville website for information about this issue to find out additional details and so I could voice my concern. Unfortunately that was not to be as I found out from a neighbour that the meeting has already occurred and was very poorly advertised, if at all. Thus my email to you.

I have very real concerns about this proposed development and as I stated earlier, I would like to believe that THIS Council will make some smarter decisions than some that have been made in the past when it comes to situations like the one presented here.

I would appreciate an opportunity to speak to you more about my concerns regarding this proposed development.

Best regards,



Resident
31 Chestnut Dr.
Belleville, ON

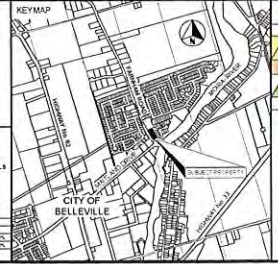




ZONING SUMMARY

DWELLING TYPE	SEMI-DETACHED DWELLING			
	THURON	BELLEVILLE	THURON	PROPOSED
ZONE PROVISION	R2 20K	R2 12K	R2 12K	R2 12K
LOT FRONTAGE PER DWELLING UNIT (MIN/MAX)	10.5m / 9.0m	10.5m / 9.23m	10.5m / 9.23m	10.5m / 9.23m
LOT AREA PER DWELLING UNIT (MIN/MAX)	325.0m ² / 337.0m ²	337.0m ² / 300.0m ²	300.0m ² / 307.7m ²	307.7m ² / 307.7m ²
FRONT YARD SETBACK (MIN/MAX)	7.6m / 3.6m	6.0m / 6.0m	6.0m / 6.0m	6.0m / 6.0m
REAR YARD SETBACK (MIN/MAX)	7.6m / 7.5m	7.5m / 7.5m	7.5m / 7.5m	7.5m / 7.5m
INTERIOR SIDE YARD SETBACK - 1 STOREY	2.0m / 1.2m	1.2m / 1.2m	1.2m / 1.2m	1.2m / 1.2m
GROSS FLOOR AREA (MIN/MAX)	83.0m ² / 83.5m ²	83.0m ² / 83.7m ²	83.0m ² / 83.7m ²	83.7m ² / 83.7m ²
LOT COVERAGE MAXIMUM	35% / 35%	50% / 50%	41.6% / 41.6%	41.6% / 41.6%
BUILDING HEIGHT MAXIMUM	11.0m / 10.6m	11.0m / 11.0m	11.0m / 8.8m	8.8m / 8.8m

SITE PLAN
 HERITAGE PARK
 PLAN 21R-9023
 PART OF LOT 8 EAST OF TOWNSHIP ROAD
 REGISTERED PLAN NO. 124
 FORMER TOWNSHIP OF THURLLOW
 CITY OF BELLEVILLE
 COUNTY OF HASTINGS
 SCALE = 1:200 METRIC



LAND USE - LEGEND

LAND USE	AREA (m ²)	AREAS (UNITS)
BLOCKS 1-10 - SEMI-DETACHED DWELLING	3033.2	83.3
LOTS 19 ON N.W. FRONTAGE AND PRIVATE LANDSCAPED AREA		
ALL DWELLINGS HAVE FRONT PORCHES (DECKS & ATTACHED GARAGES)		
BLOCK 11 - CORNER ELEMENT PROPOSED ROAD	704.1	16.7
SITE TOTAL	4227.3m²	100.0

NOTE: BUILDING FOOTPRINTS SHOWN ARE BASED ON FLOOR PLANS FROM GEORGINA HOMES AND ARE SUBJECT TO CHANGE.

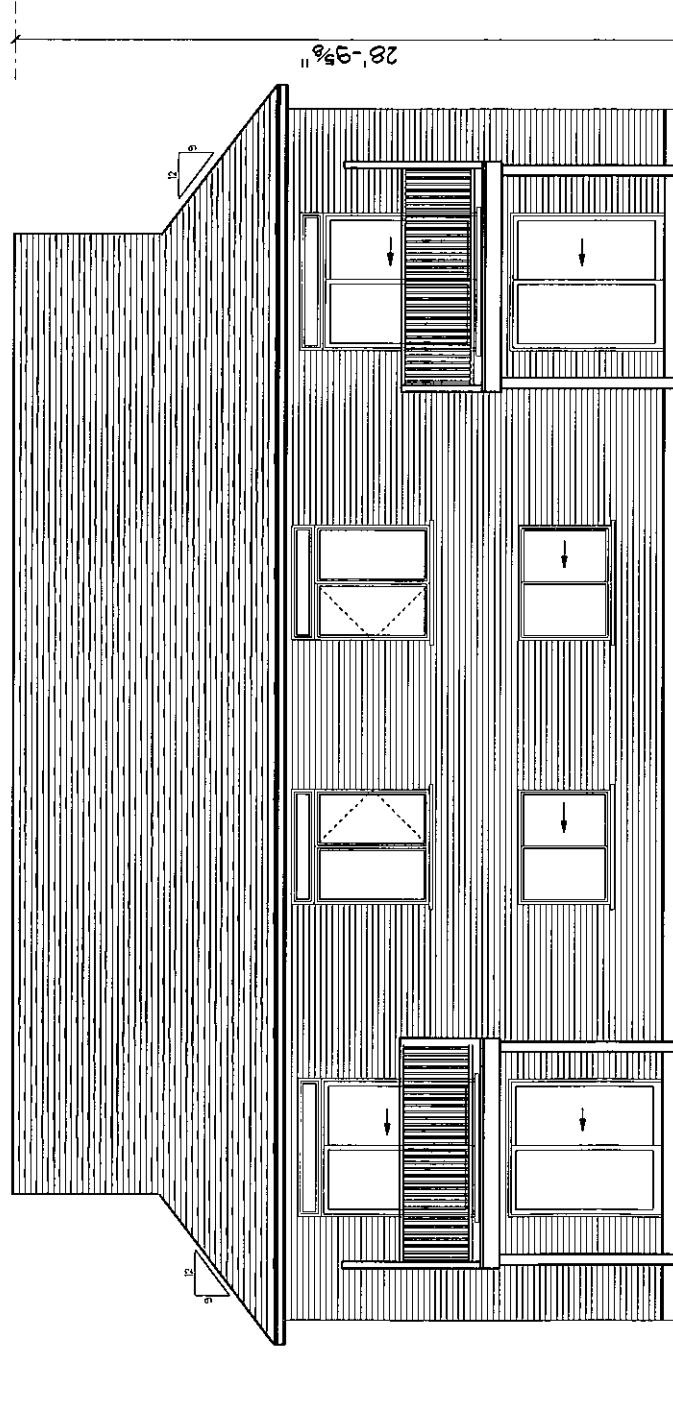
SURVEYOR'S CERTIFICATE
 I CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SURVEYED ARE CORRECTLY SHOWN.

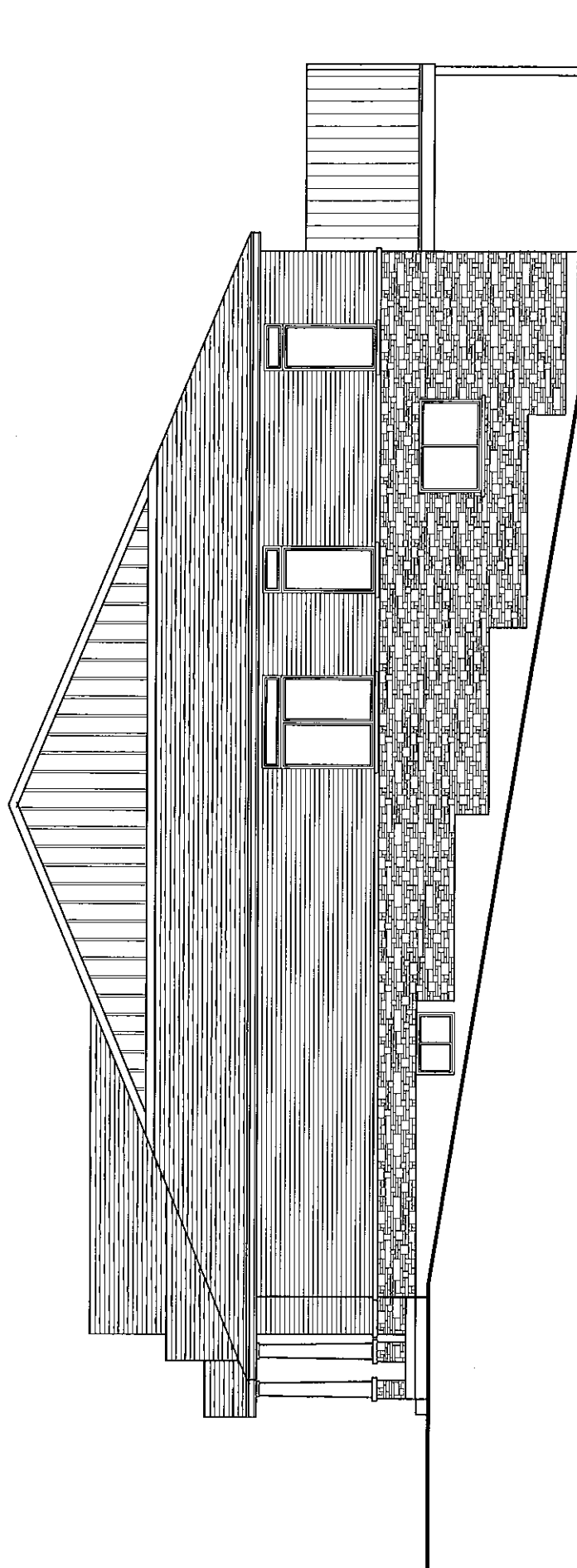
DATE: _____
 KEITH WATSON
 ONTARIO LAND SURVEYOR
 WATSON LAND SURVEYORS LTD.
 218 GARDIN STREET, BELLEVILLE, ONTARIO
 K8N 1E2

PPA
 PLANNING CONSULTANTS INC.

2019-07-02
 637-SP







Official Plan Density

3.10.2 Residential Policies

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

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

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

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

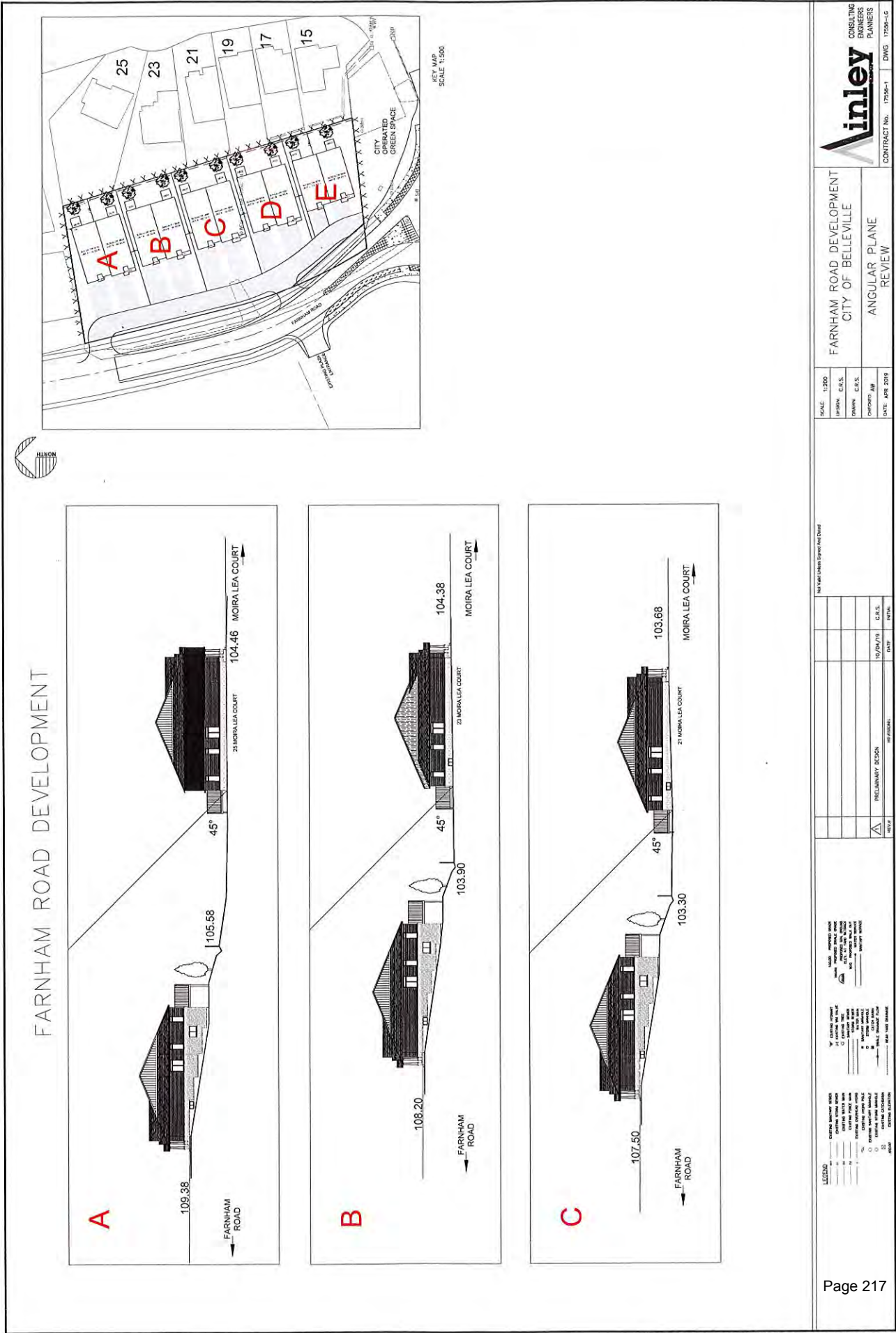
The proposal for the subject lands is for 10 dwelling units on a property with an area of 0.4227m². This works out to a net residential density of 23.7 units per hectare.

The proposed use, and density for this project falls within in the low density category.

Zoning By-law Requirements

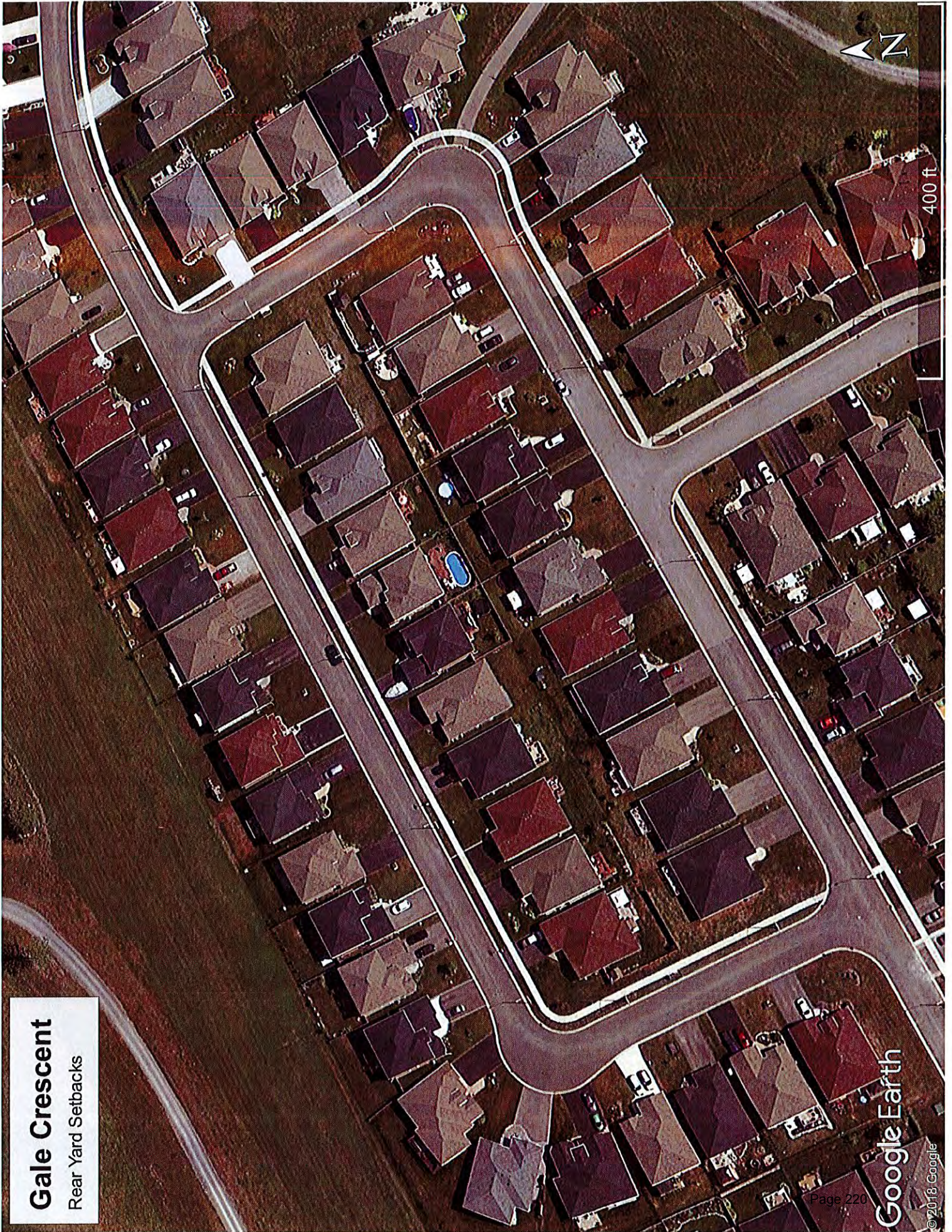
DWELLING TYPE	For a SEMI-DETACHED DWELLING			
	THURLOW R2 ZONE	BELLEVILLE R4 ZONE	THURLOW R4-2 ZONE	PROPOSED
LOT FRONTAGE PER DWELLING UNIT (MINIMUM)	10.5m	9.0m	10.5m	9.23 m
LOT AREA PER DWELLING UNIT (MINIMUM)	325.0m ²	337.0m ²	300.0m²	307.7m²
FRONT YARD SETBACK (MINIMUM)	7.6m	3.6m	6.0m	6.0m
REAR YARD SETBACK (MINIMUM)	7.6m	7.5m	7.5m	7.5m
INTERIOR SIDE YARD SETBACK - 1 STOREY	2.0m	1.2m	1.2m	1.2m
GROSS FLOOR AREA (MINIMUM)	83.0m²	83.5m²	83.0m²	137.7m²
LOT COVERAGE (MAXIMUM)	35%	35%	50%	41.6%
BUILDING HEIGHT (MAXIMUM)	11.0m	10.6m	11.0m	8.8m

Blue = meets with zone requirement





Chelsea Court
Rear Yard Setbacks



Gale Crescent
Rear Yard Setbacks

Moved by Councillor Williams
Seconded by Councillor Culhane

THAT “The City of Belleville Municipal Comprehensive Review of Urban Serviced Area, Official Plan Update” be received.

- CARRIED -

3.2 **NOTICE OF REVISED APPLICATIONS AND INTRODUCTORY PUBLIC MEETING FOR APPLICATIONS FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED; AND PROPOSED PLAN OF SUBDIVISION AND PLAN OF COMMON ELEMENTS CONDOMINIUM – 427 FARNHAM ROAD, FORMER TOWNSHIP OF THURLOW, NOW CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-1079 AND 12CD-19001
OWNER: HERITAGE PARK J/V
APPLICANT/AGENT: RFA PLANNING CONSULTANT INC**

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

“The property is located on the east side of Farnham Road, south of Laurel Street, and north of Maitland Drive, which is known as 427 Farnham Road. The subject lands have approximately 99.3 metres of frontage on Farnham Road. The Applicant requests a rezoning from Rural Residential (RR) Zone to Low Density Residential Type 2 Zone with special provisions to permit 10 semi-detached dwelling units including reduced front yard setback, reduced lot frontage, and increased lot coverage. Revised Applications for a Draft Plan of Subdivision and Common Elements Condominium have also been received by the City to permit the proposed development with freehold lots accessed by a common elements driveway.

In the Official Plan, the subject land is designated as ‘Commercial’.”

Spencer Hutchison from RFA Consultants Inc. summarized the development plans for the site and how the developer is attempting to address issues identified by neighbours.

Ms. Christine Krause, 47 Chelsea Crescent spoke about her concerns with the development proposal being on a small area of land, along with safety issues for walking, traffic and pollution.

Mr. Trul Trulsen, also of 47 Chelsea Crescent voiced concerns regarding traffic and the roundabout.

Ms. Diane Turrall resident of 3 Bristol Place, takes issue with the 5% cash-in-lieu of parkland, and questioned the validity of the results of the traffic study conducted.

Ms. Tammy Robson resident of 23 Moira Lea Court, read a prepared statement previously submitted to the Clerk's office outlining all of her objections and concerns with the application.

Mr. Peter Schlummerl spoke against application and felt this land should be converted to greenspace.

Ms. Jennifer Robertson of 27 Moira Lea Court stated concerns with busing and bus stops, and the hill on Farnham Road.

Mr. Brian Boulet resident of 34 Moira Lea Court stated his concern with lot coverage and the roundabout traffic.

Mr. John Scott, 19 Moira Lea Court voiced concerns regarding traffic & safety, along with privacy issues.

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

Moved by Councillor Sandison
Seconded by Councillor Kelly

THAT the "RFA Planning Consultant Inc." Planning Application be referred to the Regular Planning Meeting for further consideration.

-CARRIED-

3.3 **NOTICE OF COMPLETE APPLICATION AND INTRODUCTORY PUBLIC MEETING FOR APPLICATION FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 9 & 13 WILKIE STREET, CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-1084
OWNER/APPLICANT: MARK GLASSFORD

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

4. **DEPUTATIONS**

There were no items brought forward under this section of today's agenda.

5. **COMMUNICATIONS**

There were no items brought forward under this section of today's agenda.

6. **REFERRALS FROM PUBLIC MEETING**

- 6.1 **NOTICE OF REVISED APPLICATIONS AND INTRODUCTORY PUBLIC MEETING FOR APPLICATIONS FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED; AND PROPOSED PLAN OF SUBDIVISION AND PLAN OF COMMON ELEMENTS CONDOMINIUM – 427 FARNHAM ROAD, FORMER TOWNSHIP OF THURLOW, NOW CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-1079 AND 12CD-19001
OWNER: HERITAGE PARK J/V
APPLICANT/AGENT: RFA PLANNING CONSULTANT INC.**

The Planning Advisory Committee considered the "RFA Planning Consultant Inc." Planning Application in light of the Public Meeting.

Moved by Kathryn Brown
Seconded by David Joyce

THAT Report No. PP-2019-45 dated June 3, 2019 regarding Notice of Revised Applications and Introductory Public Meeting for Zoning Amendment, Plan of Subdivision, Plan of Common Elements Condominium, 427 Farnham Road, City of Belleville, be received as information; and,

THAT Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department.

-CARRIED-

From: [MacDonald, Matthew](#)
To: [Bovay, Rod](#); [Ashton, Stephen](#); [Pinchin, Greg](#); [Deming, Thomas](#)
Cc: [Pallo, Cheryl](#); [Stitt, Jennifer](#); [Forestell, Angela](#); [Keays, Christina](#); [Baldwin, Erin](#)
Subject: FW: File no 12cd-19001 file no B-77-1079 Farnham rd developement
Date: Thursday, May 23, 2019 3:41:05 PM

FYI

Matt MacDonald
Director of Corporate Services/Clerk
Corporate Services Department
Corporation of the City of Belleville
ph. (613) 967-3256
fax (613) 967-3206

Follow us on:

-----Original Message-----

From: XXXXXX XXXX XXXXXXXX [<mailto:xxxxxxxxxxxxxxxx@bellnet.ca>]
Sent: Thursday, May 23, 2019 3:23 PM
To: MacDonald, Matthew
Subject: File no 12cd-19001 file no B-77-1079 Farnham rd developement

Warning: This email came from outside the City of Belleville. Use caution opening links and attachments.

May 23/2019

Dear Mr Macdonald My

name is XXXXXX XXXXXXXX

I have a business adjacent to the property at 427 Farnham rd.I have real concern about the development of this property for safety reasons only.I sit in an office at 407 Farnham Road on a daily base with my office facing Farnham Road .The traffic on this road is crazy bussy and that's putting it mild.It is unsafe and some one is going to get hurt or killed on this road.I have called the city police several time's to ask them to put a patrol car on this road to slow the traffic down.When my employees or customers leave my property I ask them to exit the property at 90 degrees so they can plainly see the traffic.I have cars speed by my property so fast that you can not tell what kind of car it is because they are just a blur.With the traffic on this road the way it is I don't know how you are going to get the cars out onto Farnham Rd safely with those new subdivisions traffic coming out on this road,and the existing traffic that cuts across from 62 hwy.This road is busy 24/7.

I noticed on the plan that I received you are going to have two exits coming out on Farnham road between my place and the corner.I would ask that you use some common sense and bring the driveways out on Moira Lea Crt so no body get hurt and traffic flows steady.I know it going to take a little more planning.

XXXXXX XXXXXXXX

41 Moira Lea Court
RR5 Belleville, Ontario
K8N 4Z5

WITHOUT PREJUDICE

23 May 2019

Subject: File No: 12CD-1901 and B-77-1079

**Notice of Revised Application and Public Meeting Zoning By-Law Amendment
Application 427 Farnham Road from RR to R2 with special provisions**

OBJECTION

Mr. Matt MacDonald
Secretary, Planning Advisory Committee
Belleville City Hall

Dear Mr. MacDonald,

The undersigned wishes to OBJECT to the proposed changes as per the File No. 12CD-19001 based on the concerns listed below. Please send copies to the Mayor and all Councillors before the 3 June 2019 meeting.

1. Regardless of the revised number of units proposed for this site there are still the same safety issues as before given the proximity of the entrances to the roundabout. The road already has many issues due to the slope and

sight lines for drivers as well as safety for pedestrians walking on Farnham. The traffic is heavy at this intersection. Once cars exit the roundabout they will accelerate. Currently there are no sidewalks on either side of Farnham Road. After communication with the Senior Engineer for the current construction project I was advised that this contract does not include sidewalks on either side of the road. Even if there is thought that sidewalks will be part of a long term plan for Farnham Road that does not alter the pedestrian safety when the roundabout is completed this summer/fall and if the condominiums are built before sidewalks. This should be given serious consideration in this re-zoning.

2. There are at least four school buses picking up students on Moira Lea Court each day. The same school buses pick up students on Farnham Road in this area. Creating more density is going to increase the chances of an incident and mishap.
3. Parking issues may arise when you have increased density in such a small area. Any overflow parking will create issues on Moira Lea Court. Safety of residents on Moira Lea Court either exiting or entering the Court while vehicles are parked on the street could be problematic with the roundabout so close to the entrance to the Court. Will emergency vehicles have to navigate parked vehicles if on a call to Moira Lea Court? Snow removal equipment could have issues in the winter should there be more cars parked on the Court and so close to the roundabout. These concerns need to be addressed before any approval is given.
4. Because of the request to increase lot coverage, the backs of the condominium units will be almost sitting on the boundary line of several homes on Moira Lea Court which will infringe on privacy, increase noise/odours and other recreational activities for existing home owners on the Court. Why should these homeowners' quality of life suffer because of dwellings being built so close to the fence line?
5. The site plan does not show any swales/ditches for drainage at the back of the units. Swales need to be deep enough and sloped adequately to avoid over flow and are certainly a necessity for run-off during heavy rains and spring thaw. There is potential for flooding into the properties on Moira Lea

Court. The plan currently shows a tree behind each condo. If there is a swale it cannot be obstructed by trees, gardens, sheds or build-up of waste. Once the property becomes private and if the swale is obstructed and run-off is blocked causing flooding onto other properties, we are aware that there is no City by-law to enforce a property owner to keep the swale clear. The City will not intercede should this become a problem.

6. Anyone living in the area of Farnham and surrounding area is well aware of the shale that requires jack hammering using heavy equipment when there is any excavation (roads and homes). There should be consideration of the potential impact of the vibration on existing homes and damage to their foundations and structures when the condos are being built in such close proximity.

Based on the information provided in this written submission the undersigned hopes that the new Council and Mayor will turn down the revised zoning request by the builder.

Yours truly,

XXXXX X. XXXXX

41 Moira Lea Court,

Belleville, ON

K8N 4Z5

613-XXX-XXXX

email:xxxxxxxxxx@cogeco.ca

CC: Mayor Panciuk and Councillors included.

Carr Sandison Culhane Kelly Malette McCaw Thompson Williams

May 24, 2019

To: Rod Bovay, Director of Eng.& Dev. Services
Stephen Ashton, Manager of Policy Planning
Thomas Deming, Policy Planner
Greg Pinchin, Manager of Approvals
Erin Baldwin, Administrative Assistant
From: Matt MacDonald, Dir. of Corporate Services/ City Clerk

Home Owners
34 Moira Lea Court
Belleville, Ontario, KSN 4ZS

Matt MacDonald
Secretary, Planning Advisory Committee
City of Belleville

RE: Objection to Amendment to Zoning By-Law #3014 (File No. B-77-1079 & File No. 12CD-19001)

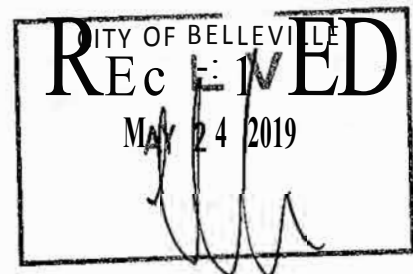
As home owners on Moira Lea Court, we object to the proposed zoning amendment to Lot 9, Plan 21R-9053, City of Belleville, County of Hastings. Our primary objections to this amendment are:

- **Poor Planning** - the latest proposal shows 10 semi-detached dwellings, with common laneway with two entry/exit points. Why does the City maintain by-laws & standards if we have to keep objecting to amendments to them? Affordable housing will not be solved by "*over-developing*" this small piece of land. Construction has started on the roundabout at the intersection of Farnham & Maitland & Moira Lea. We invite Planning Committee Members and City Staff to come and look at the "reality" of the site. Additionally, does the City or the developer know what impact this kind of construction will be to "*water management*" in the immediate area?
- **Family & Public Safety-the** proposed reduced lot frontages & setbacks along with increased lot coverage equals a recipe for potential safety risks. The roundabout will control traffic better, but that means traffic will be constantly flowing and a danger to the development's residents, especially children playing in yards and driveways. How will school bus activities be safely handled?
- **Home Property Value-** Moira Lea Court (all detached homes) was the first street that was developed in Caniff Mills. All subsequent development, in the immediate area along the east side of Farnham has been single family houses. Instead of being a "*transition*" (as previously presented by the developer) - it would be a roadblock or wall between the west side & east side of Farnham.

Lots of questions, however, we firmly object that this latest proposal is not the answer.

XXXXXX XXXXXXXX
Homeowner

XXXXX XXXXXXXX
Homeowner



To: Rod Bovay, Director of Eng.& Dev. Services
Stephen Ashton, Manager of Policy Planning
Thomas Deming, Policy Planner
Greg Pinchin, Manager of Approvals
Erin Baldwin, Administrative Assistant
From: Matt MacDonald, Dir. of Corporate Services/ City Clerk

City of Belleville

169 Front Street, Belleville, Ontario

Planning Committee Meeting, June 3, 2019

FILE NO. B-77-1079 and FILE NO. 12CD-19001

Revised zoning by-law amendment application, draft Plan of Subdivision and
draft plan of a Common Elements condominium

Attention: Matt MacDonald. Secretary Planning Advisory Committee

There are 6 homeowners in the immediate shadow of this proposed project.

They use their backyards for privacy, play and outdoor events. The character of each of these homes will be forever changed.

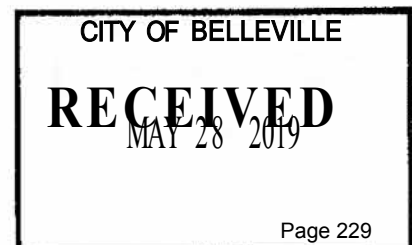
A 30-foot roof, 24 feet away, blocking the sun and raping all 6 homeowners of our privacy is not acceptable. The decks of the new residents, fifteen feet away and higher than the fence they will be providing for privacy. The six homeowners will have this backdrop to gaze at everyday!!

This changes the character of our pristine quiet neighbourhood and reduces the property values of at least six of us, not for a short period of time, but forever!!

Drainage of this proposal is said to be collected and piped to the storm systems? I didn't notice any catch basin or underground piping for storm water. This land naturally pushes storm and meltwater to the south east corner.

At the southeast corner is an Emergency Pump House, protecting thousands of homes from power failure and storm resulting catastrophes (sewage, etc.). This expensive taxpayer building has under grade pumps and could be jeopardized. The emergency generator that powers it is at the grade of the ground.

The developer is covering the less than an acre of land with 10 family units. He is covering the ground that naturally absorbs storm water.



The pump house building and the house beside it (mine) need to be protected from water surges caused by storm runoff, not with a ditch (swale) with two rows of sod!!

Regarding the traffic circle and safety, the purpose is to allow safe, smooth flow of traffic to thousands of new homes, this is a great idea. Remove the stop signs and insert 10 new homes...This is paramount to 10 houses on ramp to 401.

The entrance to 10 family homes will have children playing basketball and hockey nets and cars jockeying in and out of crammed parking spots, snow plowing, etc.

The standards of entry and exit to the common element driveway will have to be Highway standards for buses, snow removal, garbage trucks with large exit and entry points.

The recycling truck takes 60 seconds for pick up at my house of two people start to stop. Multiply by 10 new homes and force traffic off the circle into opposing traffic up a steep grade on a corner.

Imagine 10 families, one-acre, steep grade, sharp curve.

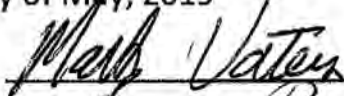
I have every confidence that the City of Belleville and the Planning Staff will handle the proposal in a courteous manner and quickly.

No Zoning changes - No special provisions - No reduced front yard setback- No reduced lot frontage - and No common elements driveway.

I assume this is only being considered because of the gall of the developer to present it.

NOTE TO THE DEVELOPER: If you place a gob of gum on the face of a clock it stops the second hand. When the second hand stops, the function stops completely.

Dated 27th day of May, 2019

Mark Vaters 

~~XXXXXXXXXXXX~~ 

15 Moira Lea Court
Belleville, Ontario

To: Rod Bovay, Director of Eng. & Dev. Services
Stephen Ashton, Manager of Policy Planning
Thomas Deming, Policy Planner
Greg Pinchin, Manager of Approvals
Erin Baldwin, Administrative Assistant
From: Matt MacDonald, Dir. of Corporate Services/ City Clerk

City of Belleville

169 Front Street, Belleville, Ontario

Planning Committee Meeting, June 3, 2019

FILE NO. B-77-1079 and FILE NO. 12CD-19001

Revised zoning by-law amendment application, draft Plan of Subdivision and
draft plan of a Common Elements condominium

Attention: Matt MacDonald, Secretary Planning Advisory Committee

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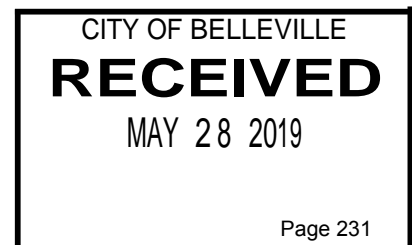
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Dated 27th day of May, 2019

[Redacted signature area with two lines]

15 Moira Lea Court
Belleville, Ontario

City of Belleville

169 Front Street, Belleville, Ontario

Planning Committee Meeting, June 3, 2019

FILE NO. B-77-1079 and FILE NO. 12CD-19001

**Revised zoning by-law amendment application, draft Plan of Subdivision and
draft plan of a Common Elements condominium**

Good evening and thank you for the opportunity to present our submission in regards to the above noted matter.

I am here tonight presenting my third submission in regards to this parcel of land, as a very concerned property owner, and City of Belleville taxpayer, specifically, the third application to consider the amendment to Zoning By-Law Number 3014 as amended, as set out in the City of Belleville Notice of Public Meeting.

I would like to point out that several members of this committee and other council members were present, and voted to unanimously deny the last development application in 2017.

This is the third official application for development of this small parcel of land since it was sold in June 2017, which is public knowledge. This less than 1-acre parcel of land has a very controversial history, including a conviction of conflict of interest involving the sale, since it was sold to local developers by the Christopher brothers. After the developer took possession, a small sliver of land was sold back to the City of Belleville, around October 2017 in order to relocate the hydro pole and services to accommodate the pending construction of a traffic circle. The first application for rezoning was refused by City Council on December 11, 2017.

None of the applications have addressed the significant safety issues and lot drainage, that have been raised by local people living around this area. Clearly on the angular plane review of the proposed 5 townhomes, there is a significant and very deep swale shown. These swales could be landscaped and filled in if this project proceeds which will flood the backyards on Moira Lea Court. This serious and damaging problem has already been experienced with the swale between Simcoe and Moira Lea. A homeowner on Simcoe filled in the swale and flooded the basement of a Moira Lea resident, doing significant damage and having to go to great expense to repair. Committee members making this decision, and the city staff and developers should be aware of this. All of the drawings and diagrams can be made to fit and be approved, but the fact of the matter is, that sometimes what appears to be acceptable on paper, is not necessarily the best decision to be made.

As mentioned at the December 2017 PAC meeting, there has been substantial development in this area over the past 17 years. With the massive building of hundreds of homes in Caniff Mills and Heritage Park subdivisions, we have experienced firsthand, the impact that all of the development in this area has created for all families residing here – poor planning in this area has extremely large subdivisions (Caniff Mills and Heritage Park) having minimal entrances, and most traffic from these areas would exit onto Farnham Road. The roundabout construction is now underway. The site plan included with the Notice of Application, clearly shows that any traffic that would exit from this new development at the south end (across from the Consumers Carpet loading exit) would impede traffic flow from the north arm of the roundabout. The median from this arm would end a short distance from both of these drives.

The photos included with my submission in April 2019, clearly show that currently without such development of townhouses or roundabout, there is already a serious safety concern and problems with traffic flow. With the daily/weekly deliveries happening at the commercial property on the west and east side of Farnham Road, with a median in the roadway and two proposed drives from the development across the road, this is surely to be a further hazard, and cause

significant and unsafe traffic delays (as I have seen firsthand when taking the photos) and queuing of traffic, which **the Farnham Road master plan 2015 states; “the roundabout is expected to reduce”**. If the businesses located on the west side of Farnham Road are unable to have their products delivered to them in a safe manner, by a transport truck (see photos of trucks jackknifed trying to back into the existing businesses), there is a possibility they could go out of business, if this proposed building is allowed to go ahead. Due to the fact that they are tenants in a building owned by someone else, they are unable to protest this development as it relates to their business. The other item worth mentioning, is if the roundabout was required to enable flow of the ever-increasing traffic volumes on this road, why are there no proper sidewalks proposed? Many people who live in Heritage Park walk down this busy stretch of road in order to get to the trail system that runs along the river, or walk to Walmart, etc. This is a safety concern for all pedestrians. From plans that I have seen to date, the only sidewalks planned for, are short segments of walkway around the traffic circle.

The proposed plan indicates a **“common element drive”**. My concern is where will the snow be plowed to on this drive? If we have a winter with significant snowfall, my concern would be that the snow would be pushed to the north or south ends of the drive, causing reduced visibility for those exiting at the north entrance and a significant safety issue.

The previous proposal stated the **City’s Plan also requires “a 30 metre right of way be protected northward along Farnham Road to allow for any future road widening to accommodate additional development further north”**. This requirement forces development on the subject lands eastward to maintain opportunity of future road widening”. **What happens to the “common element drive” arrangement when the road is required to be widened sometime in the future? Should this issue not be dealt with at this time BEFORE any development on this property?**

At the Neighbourhood Open House, hosted by the developer on May 22, 2019, visitors were provided with several different documents, regarding Official Plan Density, and Zoning By-law Requirements. The zoning by-law document provided was an attempt at comparing zoning requirements for Thurlow R2, Belleville R4, Thurlow R4-2, and the proposed development, and how this developer's proposal met with the requirements. I understand that these are all zoning requirements for a semi-detached building. This document gives the appearance to the public who are not aware of zoning bylaws, that everything in this proposal meets the regulations, as it shows that it meets most of the requirements in either R4 or R4-2 zoning. Why even show these? This proposal is asking for changes to zoning from Rural Residential to R2, which is why the developer is asking for the special provisions of reduced front yard setback, reduced lot frontage, and increased lot frontage. Our position is and according to the City Official Plan, this parcel of land **DOES NOT form any part of the new subdivision**, it was a single-family dwelling lot (rural residential).

The other document provided was a page titled Official Plan Density, from 3.10.2 Residential Policies where a definition of low density is provided. It goes on to state that based on the **10 dwellings being proposed on this 0.4227 square meters, it equates to a net residential density of 23.7 units per hectare, which is under the suggested density of 25 units per hectare.** Also, this document points out that **"the standards set out in these definitions should not be considered firm; circumstances or conditions will exist where the number of dwelling units permitted for a given area of land should be either higher or lower than defined in order to address other policies of this Plan"**.

The townhomes proposed will be single storey with a walk-out basement. I believe that the developer is trying to show that these buildings are in keeping with the neighbourhood on Moira Lea Court. They are not. These "single-storey" units will tower above all of the properties they back onto. The decks will be at the level of our rooflines. The embankment running east towards our properties will vary in angulation, but all causing significant runoff directed towards our land.

I respectfully ask that all previous submissions (including photos) made in regards to the Applications for development on this property be brought forward to be included with this application, because all of the same concerns apply.

This development is going to having serious negative repercussions on this area if it is allowed to go through. The traffic turning in and out of this development is going to result in serious injury or death to someone due to the heavy traffic in this area and further impede the flow of constant traffic, the new Roundabout was supposed to address.

I ask you as a committee, to consider the concerns we have all proposed to you **seriously**, and make your decision based on the best interest of everyone, not just the developers.

I ask that elected officials and city employees REJECT this proposal, for the last time.

Respectfully submitted the 27th day of May, 2019.



23 Moira Lea Court

Belleville, Ontario

K8N 4Z5

From: [MacDonald, Matthew](#)
To: [Bovay, Rod](#); [Ashton, Stephen](#); [Pinchin, Greg](#); [Deming, Thomas](#)
Cc: [Pallo, Cheryl](#); [Stitt, Jennifer](#); [Forestell, Angela](#); [Keays, Christina](#); [Baldwin, Erin](#)
Subject: FW: File No: 12CD-19001 File No: B-77-1079 - Known As 427 Farnham Road
Date: Wednesday, May 29, 2019 3:15:11 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

FYI

Matt MacDonald
Director of Corporate Services/Clerk
Corporate Services Department
Corporation of the City of Belleville
ph. (613) 967-3256
fax (613) 967-3206



Follow us on:



From: Jennifer Robertson [mailto:xxxxxxxxxxxxx@gmail.com]
Sent: Tuesday, May 28, 2019 2:12 PM
To: MacDonald, Matthew
Subject: File No: 12CD-19001 File No: B-77-1079 - Known As 427 Farnham Road

Warning: This email came from outside the City of Belleville. Use caution opening links and attachments.

Planning Committee;

I am writing this note again to oppose the 10 Semi-Detached homes that are trying to be built on the parcel of land at 427 Farnham Road, Belleville. My first concern, is Safety for anyone living on that parcel of land and has children. As it stands now, there are no sidewalks and not even properly finished sides of the road. Wear and tear, rain, construction and the larger amount of traffic has taken its toll on that road. Now if you are a parent, you will understand what its like to send your child out to wait for a bus on a road that has sidewalks and good roads. It is not unreasonable to think there could be at least 5 different buses, twice a day, stopping to pick up children. All it takes is one child in Elementary and the other in High School, then you add in the Catholic Board, 2 different buses, the HPEDSB, 2 different buses and not to forget the French School. We are now building a Round About at the intersection, so with 5 different buses stopping to pick up children and by law, cars must stop 20 metres behind or in front of the bus when its red lights are flashing, arm is down and a child is getting on the bus or getting off the bus. What do you think is going to happen to the traffic

on the Round About? You cannot ask a parent to send their young child up the road to catch a bus, not with the amount of traffic that will be using Farnham Road now and even more when all the construction is done. I do believe that if the proposed 10 Semi Detached Homes are built on this parcel of land, you will have several accidents on the Round About because they will have to come to a complete stop, twice a day, for school buses.

My next concern is the Expropriation of Land the City wants to widen the road. From what I can gather, it will come to the middle of the driveway that is being proposed for the occupants to use to get to Farnham Road. What happens then? Will the driveway be removed and everyone will have their own and there will be 10 separate driveways onto Farnham Road? Or, will the City have to rebuild the roadway and the occupants will lose even more of their front lawn? The Contractors have not answered any of these questions in their proposal but if they are allowed to build and this happens after they are finished and occupied, then the TAXPAYERS will be picking up the tab. If you look at the Site Plan, Blocks 8, 9, & 10 can't afford to lose any of their frontage or they will be basically stepping out on to the road. Also, if this road is one way and there happens to be the Recycling Truck or Garbage Truck on the road doing their job what happens next, people wait until they are done or do they sneak out the other way which could cause traffic concerns.

Also, there's the requirement that the land has to be brought up to road level, which means, their back decks would be higher than the fence and looking into our homes. This would also cause a significant drop/angle that would cause a very large water problem that cannot be solved without proper underground drainage. Again, if this proposal is allowed to go through as is, and a water problem does happen after the building is complete, the TAXPAYERS will be on the hook for repairs.

One last question. Why Do We Have Zoning By-Laws if we just keep changing them to suit a Contractors Wants?

Thank you for taking the time to read my concerns, hopefully none of these problems will happen or we're going to look sad in the eyes of the rest of Belleville, especially when you had a heads up on these problems several times.

Sincerely Jennifer Robertson

From: [Pallo, Cheryl](#)
To: [Bovay, Rod](#); [Ashton, Stephen](#); [Deming, Thomas](#); [Pinchin, Greg](#)
Cc: [Baldwin, Erin](#); [Stitt, Jennifer](#); [Keays, Christina](#); [Forestell, Angela](#)
Subject: FW: ammendment to zoning by-law number 3014
Date: Thursday, May 30, 2019 3:19:40 PM

FYI

Cheryl Pallo

Administrative Coordinator
Corporate Services Department
The Corporation of the City of Belleville
169 Front Street
Belleville, ON K8N 2Y8
Tel. 613-968-6481 ext. 3214
Fax 613-967-3206

----- Forwarded message -----

From: "[XXXXXXXXX@cogeco.ca](#)" <[XXXXXXXXX@cogeco.ca](#)>
Date: Wed, May 29, 2019 at 10:00 PM -0400
Subject: ammendment to zoning by-law number 3014
To: "MacDonald, Matthew" <[mtmacdonald@belleville.ca](#)>

Warning: This email came from outside the City of Belleville. Use caution opening links and attachments.

XXXXXX XXXXXXXX

17 Moira Lea Court,
Belleville, ON K8N 4Z5
May 29, 2019

Matt MacDonald, Secretary
Planning Advisory Committee
City of Belleville - City Hall
169 Front Street
Belleville ON K8N 2Y8

Dear Mr. MacDonald,

My name is XXXXXX XXXXXXXX and I am writing you today regarding the amendment to zoning by-law number 3014 re: Lot 9, Plan 21R-9053, City of Belleville, County of Hastings, re: the potential construction project of a new 10-unit townhouse on Farnham Road.

I currently reside on Moira Lea Court and I am extremely concerned about these new potential buildings. If these 10 townhouses are completed, my backyard property (and that of my neighbours) will be opposite theirs. The close proximity of these structures would certainly be a noise concern for myself and my neighbours, considering the increase in traffic due to 10 new residential units, but also the noise coming from the units themselves. The residents of the Moira Lea neighbourhood and I strongly believe that the noise will cause issues for the existing homes and townhouses in the vicinity.

Further, the new buildings are being proposed on only approximately one acre of land. This seems way too small of a parcel of land to be building such units. They also have amended plans and now are going to have a private road leading to the units themselves, however, I wonder who will ultimately maintain it? Especially with snow removal and ongoing typical road maintenance. The best case scenario would be that these buildings would be extremely close to the existing neighbourhood – that is to say, there would not be sufficient space for reasonable privacy between these new buildings and the existing houses. The townhouses are going to be 3 storeys, which would no doubt provide many of the units unique vantage points into our backyards or our windows at all times of day. This could not be mitigated in a similar way to another house (for instance, a fence between yards), as some units would be elevated. These new units appear to be elevated more than they should be on the plans I saw and will I believe the loss of privacy would be very detrimental to the residents behind them.

Additionally, the residents of my neighbourhood and I are unsure how the City thinks it will successfully and safely build these units without causing harm to the homes and property adjacent to these buildings. For example, we are concerned about flooding due to water run-off as we are at the bottom of a hill. Currently, the water goes past our homes or is absorbed into the earth, but with obstructions in the way such as buildings and pavement, there will not be the “green space” to absorb it, which will cause water pooling and most likely flooding.

My neighbourhood is also extremely concerned about the following safety issue we would potentially have to deal with. The corner of Farnham Road and Maitland Drive is an extremely busy intersection. So busy, that the city is implementing a 2-lane roundabout to help with the flow of traffic. The extra traffic by bicycle, vehicle, and pedestrian will be, in my opinion, a safety concern with the plan as-is. To add to the traffic, this intersection is currently also the detour route when there is an accident on the 401. With the already high-level of traffic we see, and the constant issue with the existing four-way stop and lack of respect for pedestrians, we feel that adding more everyday traffic by building 10 townhouses immediately off of this new roundabout is certainly a greater risk for a neighbourhood that walks family pets and more importantly has children. Even further, as I’m sure you’re aware, the City of Belleville

is trying to promote the Waterfront trail that runs behind Moira Lea Court, and behind the subdivisions. This means a natural increase in people walking, biking, and otherwise enjoying the trail. The addition of 10 townhouses causes an influx not only in pedestrians, but also in daily traffic. I am also concerned that if there is an accident at the roundabout vehicles could crash out of the roundabout into the proposed townhouses as they will be so close. I am not aware of another high traffic area that could have housing so close to it and seems very unsafe for the residents and their property.

Currently the 4-way stop at Farnham and Maitland is dug up with construction going on to put in the roundabout. Traffic is snarled daily, people honking their horns at each other and you can see the frustration on the faces of the commuters and construction workers. One of our school buses refuses to come into Moira Lea as entry into our street has been changing daily and is picking up on Farnham Road. When that bus picks up, traffic halts in all directions. How is this going to work when the roundabout is in place? The roundabout was approved to keep traffic flowing. Traffic flow will be a problem when school buses, garbage and recycling trucks are stopping right by the roundabout.

The area is already a concern for speeders. I worry that with the addition of these townhouses, this problem could become worse or potentially more dangerous for the people in our neighbourhood. We have a lot of children living in our area and the constant flow of incoming and outgoing traffic could mean someone is injured. I mention this to point out the ongoing issues we have at a very busy intersection where the plan is to add more homes to an already congested area. I am strongly pleading with you and the Committee to not proceed with this amendment and to reject the construction of these 10 townhouses. Due to the noise, flooding, and safety concerns, the residents of my neighbourhood and I absolutely do not want this construction project to proceed any further.

When I purchased my home in 2005 I was told the land behind me was commercial and a small strip mall would eventually go in. Why is it getting changed? Every person who finds out about this development cannot believe it. Please, I implore you, do not let a residential development be built basically on top of an area that is already a traffic bottleneck. Further, to be built on an a totally unsuitable parcel of land that is simply far too close to existing infrastructure and residences, and moreover is far too small to support a residential project of this sort.

Please let me know the decision that the committee ultimately makes.

Thank you,

XXXXXX XXXXXXXX

From: [MacDonald, Matthew](#)
To: [Bovay, Rod](#); [Ashton, Stephen](#); [Pinchin, Greg](#); [Deming, Thomas](#)
Cc: [Pallo, Cheryl](#); [Stitt, Jennifer](#); [Forestell, Angela](#); [Keays, Christina](#); [Baldwin, Erin](#)
Subject: Fwd: File no: 12CD-19001 File no B-77-1079
Date: Sunday, June 02, 2019 7:04:00 PM

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----- Forwarded message -----

From: "Adam Bradbury" <xxxxxxxxxx@hotmail.com>
Date: Sun, Jun 2, 2019 at 8:29 AM -0400
Subject: File no: 12CD-19001 File no B-77-1079
To: "MacDonald, Matthew" <mtmacdonald@belleville.ca>

Warning: This email came from outside the City of Belleville. Use caution opening links and attachments.

One again I am e-mailing to object to this proposal. There have been many issues raised in regards to the last few proposals and there are still some issues still in this new amendment to the proposal. I believe safety to be the key issue. I really believe the round-about to be the cause of this issue due to the high density of traffic that uses this route. My home backs on to this property and once the property is developed I will be on my own to deal with issues of possible water problems created by the fact this property water run off will make its way to mine. I wish to prevent it before it becomes a problem. The developers sole interest is to put homes there and make as much profit as possible, as my sole interest is to stop a bad idea before it happens. I don't believe that this whole plan is understood by all residents and it won't turnout the way it seems that it will. The idea that those homes will be of equal value to mine when they are completed is just ridiculous as that would make them 400 to 500 thousand dollar homes and there property is considerably smaller than mine. I believe they will impact my home's value. I know my views are supported by many other members of the community as this doesn't just impact the people on Moira Lea Court, and that is why they are present at the meetings. I know there is a reasonable solution but until the developer actually listens to the community and not the sound of money I will continue to oppose this proposal and any others that follow. I have read the amendment and all of its legal jargon and it sounds like a bit of a white wash to me. The community needs to keep this developer in check.

Adam Bradbury.

From: [MacDonald, Matthew](#)
To: [Bovay, Rod](#); [Ashton, Stephen](#); [Pinchin, Greg](#); [Deming, Thomas](#)
Cc: [Pallo, Cheryl](#); [Stitt, Jennifer](#); [Forestell, Angela](#); [Keays, Christina](#); [Baldwin, Erin](#)
Subject: Fwd: 427 Farnham Road
Date: Sunday, June 02, 2019 7:05:17 PM
Attachments: [opposition to amendment to zoning June 2019.docx](#)

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----- Forwarded message -----

From: "Leigh-Ann Scott" <xxxxxxx@cogeco.ca>
Date: Sun, Jun 2, 2019 at 6:53 PM -0400
Subject: 427 Farnham Road
To: "MacDonald, Matthew" <mtmacdonald@belleville.ca>
Cc: "Carr, Paul" <councillor.carr@belleville.ca>

Warning: This email came from outside the City of Belleville. Use caution opening links and attachments.

Dear Mr. MacDonald,

Please see the attached letter expressing our opposition to the proposed amendment to zoning by-law number 3014 for the property located on the east side of Farnham Road, which is known as 427 Farnham Road, to permit 10 semi-detached dwelling units.

Thank you,
John and Leigh-Ann Scott

June 1, 2019

Matt MacDonald Secretary
Planning Advisory Committee, Belleville City Hall
169 Front Street
Belleville, ON K8N 2Y8

Dear Mr. MacDonald

We are writing you to express our opposition to a proposed amendment to zoning by-law number 3014 for the property located on the east side of Farnham Road, which is known as 427 Farnham Road, to permit 10 semi-detached dwelling units.

We reside on Moira Lea Court, Belleville. The proposed townhouse units would be located behind our property. Unfortunately this most recent proposal presents the same concerns as the previous two proposals for this land. It has not addressed any of the concerns previously expressed in our recent letter dated March 27, 2019. We have serious concerns of the impact these multiple units would have on road safety, flooding, and privacy.

The proposed units would be on a significantly small parcel of land, at an unreasonably close proximity to the soon to be constructed roundabout at the Farnham Road, Moira Lea Court and Maitland Road intersection. The road/driveway for the proposed townhouse units would be exiting onto Farnham Road, which has a downward slope as it approaches the said intersection and roundabout. Having vehicles exit at an extremely close proximity to the roundabout, and a sloped road, would interrupt roundabout flow and create a high risk accident area. We are very concerned about our safety and the safety of our neighbours and community in this regard.

Any high density development of a small parcel of land at a roundabout seems inappropriate, however if any development is to be assessed, it should subsequent to the roundabout's completion when a realistic and accurate assessment of traffic flow, volume and impacted property could be considered. It would seem sensible to assess the development of this property when an accurate depiction of the roundabout's true placement relative to existing properties can be assessed. The timing of this current proposal seems premature and questionable.

Due to the insignificant size of the land, its proximity to other homes and its higher elevation to homes backing on to its property, this location for homes seems unreasonable. The property of the proposed semi-detached units is at a significantly higher ground than our property. These homes would not compliment our property, but instead be very intrusive. Its deck would practically be up to our property line and would allow full view of our house and backyard area. A privacy fence would not be high

enough to create privacy. As a result, these homes would have an unobstructed view of our backyard and patio area.

We also have serious concerns with the risk of flooding on our property with any major development behind our land. In the spring, when the snow melts or during heavy rainfall, we normally have some water gather in the furthest section of our backyard. Because the property behind ours is at a significantly higher level, there would be limited areas for the water to drain, compounding the problem of water gathering on our property, and creating the risk of flooding in our back yard.

Our family gardens and enjoys using our patio. The development of these homes would negatively impact the quality of our backyard life and the future resell of our property. In addition, the location of the proposed units present accident risks around the Farnham/Moira Lea/Maitland intersection and could impede traffic flow, contradicting the purpose of a roundabout.

We are asking you to not proceed with this amendment and reject the construction of the proposed 10 semi-detached dwelling units.

Sincerely,

Leigh-Ann Scott & John Scott

From: [MacDonald, Matthew](#)
To: [Bovay, Rod](#); [Ashton, Stephen](#); [Pinchin, Greg](#); [Deming, Thomas](#)
Cc: [Pallo, Cheryl](#); [Stitt, Jennifer](#); [Forestell, Angela](#); [Keays, Christina](#); [Baldwin, Erin](#)
Subject: Fwd: PAC June 3/19
Date: Sunday, June 02, 2019 7:06:53 PM
Attachments: [Farnham Road Proposal PAC June 2019 -final document for presentation\[2305843009214364621\]\[1696\].docx](#)

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From: "**Bev Spence**" <xxxxxxxxx@bell.net>
Date: Sun, Jun 2, 2019 at 6:54 PM -0400
Subject: PAC June 3/19
To: "Mayor Panciuk" <mayor.panciuk@belleville.ca>, "Culhane, Pat" <councillor.culhane@belleville.ca>, "Carr, Paul" <councillor.carr@belleville.ca>, "Thompson, Garnet" <councillor.thompson@belleville.ca>, "Culhane, Pat" <councillor.culhane@belleville.ca>, "Kelly, Sean" <councillor.kelly@belleville.ca>, "Malette, Chris" <councillor.malette@belleville.ca>, "Williams, Ryan" <councillor.williams@belleville.ca>, "Sandison, Bill" <councillor.sandison@belleville.ca>, "McCaw, Kelly" <councillor.mccaw@belleville.ca>, "MacDonald, Matthew" <mtmacdonald@belleville.ca>

Warning: This email came from outside the City of Belleville. Use caution opening links and attachments.

My amended submission to be presented at the meeting on June 3, 2019.

XXXXX XXXXXX

City of Belleville

169 Front Street, Belleville, Ontario

Planning Committee Meeting, June 3, 2019

FILE NO. B-77-1079 and FILE NO. 12CD-19001

Revised zoning by-law amendment application, draft Plan of Subdivision and draft plan of a Common Elements condominium

Good evening and thank you for the opportunity to present our amended submission in regards to the above noted matter, after reviewing the report #PP-2019-45 presented by Managers of Planning and Approvals dated June 3, 2019.

I am here yet again to present my third submission in regards to this parcel of land, as a very concerned property owner, and City of Belleville taxpayer, specifically, the third application to consider the amendment to Zoning By-Law Number 3014 as amended, as set out in the City of Belleville Notice of Public Meeting.

I would like to point out that several members of this committee and other council members were present, and voted to unanimously deny the last development application in 2017.

This is the third official application for development of this small parcel of land since it was sold in June 2017, and continues to be a very controversial situation, not only in Canniff Mills and surrounding developments, but the development in general. Yet here we are again, debating the “development” of this parcel of land. The public is fully aware that this less than 1-acre parcel of land has a very controversial history, including a conviction of conflict of interest involving the sale, since it was sold to local developers by the Christopher brothers. After the developer took possession, a small sliver of land was sold back to the City of Belleville, around October 2017 in order to relocate the hydro pole and services

to accommodate the pending construction of a traffic circle. The first application for rezoning was refused by City Council on December 11, 2017.

None of the applications have addressed the significant safety issues and lot drainage issues, that have been raised by local people living around this area. Clearly on the angular plane review of the proposed 5 townhomes, there is a significant and very deep swale shown. These swales could be landscaped and filled in if this project proceeds which will flood the backyards on Moira Lea Court. This serious and damaging problem has already been experienced with the swale between Simcoe and Moira Lea. A homeowner filled in the swale and flooded the basement of a Moira Lea resident, doing significant damage and causing the Moira Lea resident to go to great expense to repair. Committee members making this decision, and the city staff and developers should be aware of this.

As mentioned at the December 2017 PAC meeting, there has been substantial development in this area over the past 17 years. With the massive building of hundreds of homes in Caniff Mills and Heritage Park subdivisions, we have experienced firsthand, the impact that all of the development in this area has created for all families residing here – poor planning in this area has extremely large subdivisions (Caniff Mills and Heritage Park) having minimal entrances, and most traffic from these areas would exit onto Farnham Road. The roundabout construction is now underway. The site plan included with the Notice of Application, clearly shows that any traffic that would exit from this new development at the south end (across from the Consumers Carpet loading exit) would impede traffic flow from the north arm of the roundabout. The median from this arm would end a short distance from both of these drives.

The photos included with my submission in April 2019, clearly show that currently without such development of townhouses or roundabout, there is already a serious safety concern and problems with traffic flow. With the daily/weekly deliveries happening at the commercial properties on the west and east side of Farnham Road, with a median in the roadway and two proposed drives from the development across the road, this is surely to be a further hazard, and cause significant and unsafe traffic delays (as I have seen firsthand when taking the photos) and queuing of traffic, which **the Farnham Road master plan 2015 states; “the roundabout is expected to reduce”**. If the businesses located on the west

side of Farnham Road are unable to have their products delivered to them in a safe manner, by a transport truck (see photos of trucks jackknifed trying to back into the existing businesses), there is a possibility they could go out of business, if this proposed building is allowed to go ahead. Due to the fact that they are tenants in a building owned by someone else, they are unable to protest this development as it relates to their business. The other item worth mentioning, is if the roundabout was required to enable flow of the ever-increasing traffic volumes on this road, why are there no proper sidewalks proposed? Many people who live in Heritage Park walk down this busy stretch of road in order to get to the trail system that runs along the river. This is a safety concern for all pedestrians. From plans that I have seen to date, the only sidewalks planned for, are short segments of walkway around the traffic circle.

The proposed plan indicates a **“common element drive”**. My concern is where will the snow be plowed to on this drive? If we have a winter with significant snowfall, my concern would be that the snow would be pushed to the north or south ends of the drive, causing reduced visibility for those exiting at either entrance and a significant safety issue.

The previous proposal stated the **City’s Plan also requires “a 30 metre right of way be protected northward along Farnham Road to allow for any future road widening to accommodate additional development further north”**. This requirement forces development on the subject lands eastward to maintain opportunity of future road widening”. **What happens to the “common element drive” arrangement when the road is required to be widened sometime in the future? Should this issue not be dealt with at this time BEFORE any development on this property?**

At the Neighbourhood Open House, hosted by the developer on May 22, 2019, visitors were provided with several different documents, regarding Official Plan Density, and Zoning By-law Requirements. The zoning by-law document provided was an attempt at comparing zoning requirements for Thurlow R2, Belleville R4, Thurlow R4-2, and the proposed development, and how this developer’s proposal met with the requirements. I understand that these are all zoning requirements for a semi-detached building. This document gives a misleading appearance to the public , who are not aware of zoning bylaws, that everything in this proposal

meets the regulations, as it shows that it meets most of the requirements in either R4 or R4-2 zoning. Why even show these? Another issue with the application and its supporting documentation are the aerial imagery of Gale Crescent and Chelsea Court (rear yard setbacks). This area is a new plan of subdivision with R1-20 low density zoning, therefore why is it even included in this proposal? It is NOT an accurate presentation. This proposal is asking for changes to zoning from Rural Residential to R2 (low density). It does not meet the zone requirements for R2, which is why the developer is asking for the special provisions of reduced front yard setback, reduced lot frontage, and increased lot coverage. As noted in Section 6 – Zone Provisions, 6.2 Low Density Residential Type 2 (R2) Zone, under Special Provisions 6.2.4, re. subsection 5.140.1 R2-3, the minimum lot frontage – semi-detached dwelling house, is 9.7 metres. This proposal states a minimum lot frontage of 9.23 metres, and does not even meet the minimum lot frontage as stated in the special provisions.

I find it frustrating that regular city taxpayers are expected to adhere to very stringent by-laws when it comes to construction of a fence, deck or shed on private property. Yet, city developers are permitted to request changing the zoning by-laws in order to permit them to build a structure, so it can be made to fit in a particular location. Why even have the regulations if they are allowed to be changed at the whim of any developer? I feel confident if I personally was the owner of this parcel of land, and presented this proposal, it would not have been even considered, since it doesn't meet the zoning by-law.

The other document provided was a page titled Official Plan Density, from 3.10.2 Residential Policies where a definition of low density is provided. It goes on to state that based on the **10 dwellings being proposed on this 0.4227 square meters, it equates to a net residential density of 23.7 units per hectare, which is under the suggested density of 25 units per hectare.** Also, this document points out that **“the standards set out in these definitions should not be considered firm; circumstances or conditions will exist where the number of dwelling units permitted for a given area of land should be either higher or lower than defined in order to address other policies of this Plan”.**

The townhomes proposed will be single storey with a walk-out basement. I believe that the developer is trying to show that these buildings are in keeping

with the neighbourhood on Moira Lea Court. They are not. These “single-storey” units will tower above all of the properties they back onto. The decks will be at the level of our rooflines. The embankment running east towards our properties will vary in angulation, but all causing significant runoff directed towards our land.

In reviewing the report for this development over the weekend, it was noted that BTE engineering was selected by the city to complete a peer review of the application, and address the concerns from the public, because they would be considered the expert authority in this matter, as they previously completed the Environmental Assessment, and road design work for the roundabout. I believe that this review was not conducted in an impartial manner and is yet another poor decision taken in regard to this controversial parcel of land. This firm was, or currently is, under contract with the city of Belleville. Why would this firm say anything negative about the project, when in doing so, may jeopardize obtaining any future city contracts? It would have been a more objective report if an engineering firm with no local connections was provided the opportunity to review.

I will not address each of the concerns/issues staff have attempted to address in this report for the sake of time. There are many instances where the responses to the concerns do not make sense, and many that have been generalized, and removed from the context in which the individual who initially raised the concern, intended. All responses to the concerns/issues definitely have the appearance of being in favour of the developer. I encourage all committee members to review all previous submissions related to this development dating back to December 2017.

I would also like to point out to the committee, the liability potential if this project is allowed to proceed. If in the future, an incident occurs that results in injury or damage to an individual or someone’s property, after the public has raised so many valid points in regards to the issues in individual submissions, it could possibly put the City of Belleville in another conflict situation, and yet again burden the City taxpayers with an unnecessary expense.

There are two things to consider when making a decision such as this, that will have lasting implications for those that live near to, or use this particular roadway. These are considering the factual data presented, and logic. Not

everything that appears to work on paper, will work in reality. Nor is it the logical, or the RIGHT thing to do. This is a very unique intersection, that has its challenges. Where else in the province is there a situation such as this?

Local residents have asked members of this committee, and also other council members, if there is an opportunity to purchase back this land, that was sold in such a controversial way? Given the history, the right thing to do would be for the City to make the purchase and establish it as a much-needed greenspace along this particularly densely populated stretch of road, for all who live here to enjoy.

I ask that elected officials and city employees REJECT this proposal, for the last time.

Respectfully submitted the 3rd day of June, 2019.

XXXXX XXXXXX

XXXXXXXX XXXXXX

23 Moira Lea Court

Belleville, Ontario

K8N 4Z5

File

June 3rd, 2019

Planning Department Committee Members

My name is XXXXX XXXXXXXX and I reside at 3 Bristol Place in the Canniff Mills Development.

I made a presentation at the first meeting concerning the proposed development on Farnham Road and have followed with interest the subsequent modifications and studies. I was unable to attend the previous meeting as I was out of the province.

Although the current proposal has addressed many of the concerns raised by residents I have 2 major issues that I would like to present.

1. The Offer of a 5% Cash-in-lieu of Parkland to the City of Belleville.

I am appalled that our city would consider reducing the amount of parkland in our official plan. I do understand that in the history of residential development in Belleville, this cash-in-lieu of parkland was frequently used. The impact of these arrangements was that we have less green space and fewer parks, causing residents to drive, rather than walk, to parks. This is another negative environmental impact of reduced green space.

In 2019 The City of Belleville's response to the negative impact of climate change and environmental degradation should be to strengthen our focus on the need to maintain and increase green space. We should refuse this 5% cash in lieu of parkland to the city. We have a new City Council that has demonstrated that it is not business as usual. There are countless examples of increased transparency and timely responses to resident concerns.

It is now the time to eliminate a 5% cash-in-lieu of parkland option for developers.

Possible Solution: Build 8 townhouses on this property and use the sections designated as Unit 9 and Unit 10 for parkland.

Such a modification would demonstrate to residents that The City of Belleville highly values green space and is taking appropriate positive action. This modification would provide a safe area behind the open space at the junction of Moira Lee and the Traffic Circle. Residents can enjoy this open area and then cross Moira Lee safely to gain access to the Trail.

2. BT Engineering Study of traffic.

These town houses each have garages and room for 2 cars in their individual driveways. I would suggest that in many cases there would be 2 cars per family exiting and entering the condo property at High Traffic Density Times. Thus, I would suggest that rather than 10 cars there should be 20 cars used to determine traffic density patterns.

I would also suggest that the traffic patterns for commercial properties would likely be distributed throughout the day and not concentrated at the Rush Hour Periods. In fact, the traffic flow to commercial sites likely would be lighter at these peak times.

In summary I question the validity of the engineering traffic study results.

I ask whether there might be a Conflict of Interest to have the Engineering Company that has a contract with the city to develop the roundabout to also do the advanced traffic and impact study of this proposed residential property. It would seem that the Engineering Company would have a vested interest in demonstrating that this proposed development does not interfere with the traffic flow in the vicinity of the roundabout.

Thank you for the opportunity to challenge this proposal as it is currently presented.

Submitted

XXXXX XXXXXXXX
3 Bristol Place
Belleville Ontario, KBN425

613-XXX-XXXX; XXXXXXXXXXXX@gmail.com

City of Belleville

169 Front Street, Belleville, Ontario

Planning Committee Meeting, July 2, 2019

FILE NO. B-77-1079 and FILE NO. 12CD-19001

Revised zoning by-law amendment application, draft Plan of Subdivision and draft plan of a Common Elements condominium

Please consider this submission as additional correspondence, prior to the July 2, 2019 Planning Advisory Committee meeting.

Since my amended proposal that was submitted on June 2, 2019, and further to my oral submission at the Planning Advisory Committee meeting on June 3, 2019, I have taken more time to review the developer's application, the Official Plan for the City of Belleville (approved January 7, 2002), several surveys of the subject property, and the Farnham Road master plan from the Municipal Class Environmental Assessment (completed December 2015).

Beginning with the application, it is interesting to note that the last two applications made by the developer in regards to this property, have different site survey plans, one showing the location of the traffic circle the other without, and one showing the 30-metre road allowance, and the other without. It is stated in the City's Application for Amendment to the Official Plan, and/or Zoning By-law application form, "that the survey plan is to show the applicant's total landholdings in the immediate area, and a key map showing the development as related to the surrounding street system and existing land uses", and that "incomplete, incorrect, or inaccurate applications cannot be processed until the required information is provided". Also, in the application there is a section regarding "Peer Review". It states "that specialized technical reports submitted in relation to an application, may require a Peer Review to address technical concerns. It is a policy of the City that costs of Peer Review shall be paid by the applicant". Was this the case in this instance? As mentioned by me previously, it seems suspicious to me that a review and subsequent report, was completed by

the same engineering firm (BT Engineering) that was paid by the City to complete the Municipal Class Environmental Assessment in 2015. Did the applicant actually pay for this review to be done, and how is it an unbiased review, when completed by a firm that is currently, or has in the past, done work for the City?

The **Farnham Road Master Plan (from the Municipal Class EA of 2015)**, clearly states, from Maitland Drive to Kipling Drive, that a 2-lane road, (with the protection for 4-lane) is the preferred option. The plan also states that by 2034, the “projected growth in traffic demands on Farnham Road will approach the capacity of a 2-lane roadway (between Maitland Drive and Kipling), and result in moderate delays to side street traffic during peak hours”. This is already happening at the Simcoe Drive and Farnham Road intersection, and has been stated orally, by another local neighbour at the June 2, 2019 PAC meeting. I would hazard a guess, given that we are already approaching 4 years since this EA was done, that the 4-lane option may be needed much sooner than 2034.

If you look at **Figure 9 – Maitland/Farnham Intersection Alternative 2 Roundabout from the Municipal Class EA/Farnham Road Master Plan**, it clearly shows the property that is required for the development of the roundabout. This was not indicated on the applicant’s last submission. If it had been, it would indicate the subject property being a much smaller parcel of land than has been represented. Essentially eliminating much of the “common element roadway”.

Protecting the property that potentially is going to be required in the future, is imperative to proceeding with the recommended course of action. **Precedent has been set in regards to the City acquiring property required for road widening/curvature, at the northern portion of Farnham Road at Wim’s Way.**

The “common element road” configuration also causes problems for any vehicle exiting the complex. The road runs parallel to Farnham Road. Therefore, any vehicle exiting would not be exiting at 90 degrees to Farnham Road, and would not have clear view of the roadway in both directions. It would also place a vehicle over any sidewalk that may be constructed. Collector roads (Farnham Road) are meant to receive traffic, and driveway access should be limited, especially so near to a traffic circle that has a constant flow of traffic on it, and select times of the day.

There are several instances mentioned in my previous submissions, that can be tied in to the Official Plan of the City of Belleville:

Collector Roads – these roads may be two or four travel lanes wide, undivided, within rights-of-way between 20 and 26 metres. The rights-of-way may be widened depending on local circumstances to accommodate needs such as wider right lanes to enable safe and proper side-by-side sharing of the road with bicycles, sidewalks, or landscaped boulevards. When reasonable, bicycle lanes may be constructed as part of major collector road right-of-way. (Bicycle lanes was a city initiative previously).

6.1.4 Design Criteria – The municipality should have regard for the following matters when reviewing new development proposals:

- The design of the road should provide for safe movement of vehicles and pedestrians;
- The carrying capacity of the adjacent roads should be sufficient to accommodate the anticipated traffic generated by the proposed development, as well as anticipated growth in levels of background traffic.
- The carrying capacity of existing and proposed arterial and collector roads should be protected by: limiting the number of entrances/exits for non-residential developments located adjacent to these roads, and limiting the number of intersections of local streets with major collector roads.
- The regulation of entrances onto roadways is required to ensure that public safety is achieved and not compromised – direct access to major collector roads should be permitted from lots with large frontages, and from lots with narrow frontages, provided the impact of entrances on the ability of the road to function as required would be minimal.
- The design of entrances onto any road is critical to the function of the road and the safety and convenience of the public. When approving entrances onto any road, the municipality should consider:

- whether entrances would have an adverse impact on the road to function;

- whether the entrances promote safe movement of traffic on the public street and on the adjoining lot through provision of adequate sight lines, and relationship with entrances on adjoining lots and lots on the opposite sides of the road;
- the safe movement of pedestrians and cyclists along the road.

6.2 Road Widening – The municipality may require land to be conveyed to the appropriate road authority at no cost for the purpose of widening the existing road right-of-way as a condition of severance, subdivision, or site plan approval. Generally, widening should be sought equally from both sides of the right-of-way, but conditions may exist which makes this unachievable; exemptions or modifications to the requirements may be necessary to reflect site constraints, existing physical development or encroachments, and pedestrian safety.

Where it is determined through traffic studies conducted for large scale developments that turning lanes on any abutting arterial, collector, or local road are required to:

- facilitate safe movement in and out of the lot proposed for development
- ensure the public road continues to function as intended notwithstanding heavy traffic volumes generated by the development

7.2 Subdivision of Land – The subdivision of land has significant impacts on how the community develops, and the provision of services to meet the needs of current and future residents.

7.2.1 Policies Respecting Subdivision of Land Applicable to All Land Use Designations:

When any application to subdivide land is considered the approval authority should employ the following policies and principals:

- No subdivision of land should be approved which contravene the policies of this Plan;
- The approval authority should be satisfied all development parcels would be appropriate (i.e. Sufficient frontage and area, configuration, alignment) for their intended uses.

- No subdivision of land should be granted which would result in any landlocked parcel being created.
- No development parcel should be created which would create a hazard to any person using the lot, adjoining lands, or an abutting road.
- The approval authority may impose any conditions that it believes are necessary and prudent to ensure the policies of this Plan are addressed adequately, which may include but not necessarily be restricted to:
 - Laying out and naming of roads and the provision of road widenings
 - Establishment of stormwater management facilities
 - Provision of open space, including trails and pedestrian links

8.2 Site Plan Control – Site plan control should be used where proposed development or features of a particular site or district require:

- Consistent standard of development
- Safe and efficient vehicular and pedestrian movement
- Installation of features that ensure compatibility between land uses

Council may apply such conditions as provide for in the Planning Act to the approval of a site plan and may ensure the fulfillment of conditions of approval and the implementation of the Municipality’s policies through execution of a development agreement which may be registered against the title to the lands. Such agreement may address issues such as the timing of the development, future obligations, security and default provisions, and financial matters respecting the provision of services. Among these conditions may be the requirement to provide road widenings to the Municipality as set out in Section 6.2 of this Plan.

8.8 Subdivision of Land – The Municipality should ensure the plan of subdivision and consent approval processes are employed appropriately to ensure division of land is undertaken in accordance with the Policies of this Plan.

8.10 Land Acquisition - The Municipality may acquire and hold land within the City for the purpose of meeting any objective of this Plan. The Municipality may also sell, lease, or otherwise dispose of lands when no longer required in accordance with the Municipal Act and other relevant provisions of this Plan.

Without limiting the generality of the above statement, the Municipality may acquire lands for the purpose of:

- Providing roads, road extensions, road widenings, and pedestrian linkages

In conclusion, I believe there are many reasons why this parcel of land is not suitable for any type of development, and I believe the City should adhere to their own standards and policies, as they would expect a general member of the public to do. The City has spent a large amount of money to have someone determine the requirements of this roadway in the future, and development should be halted until the road widening occurs.

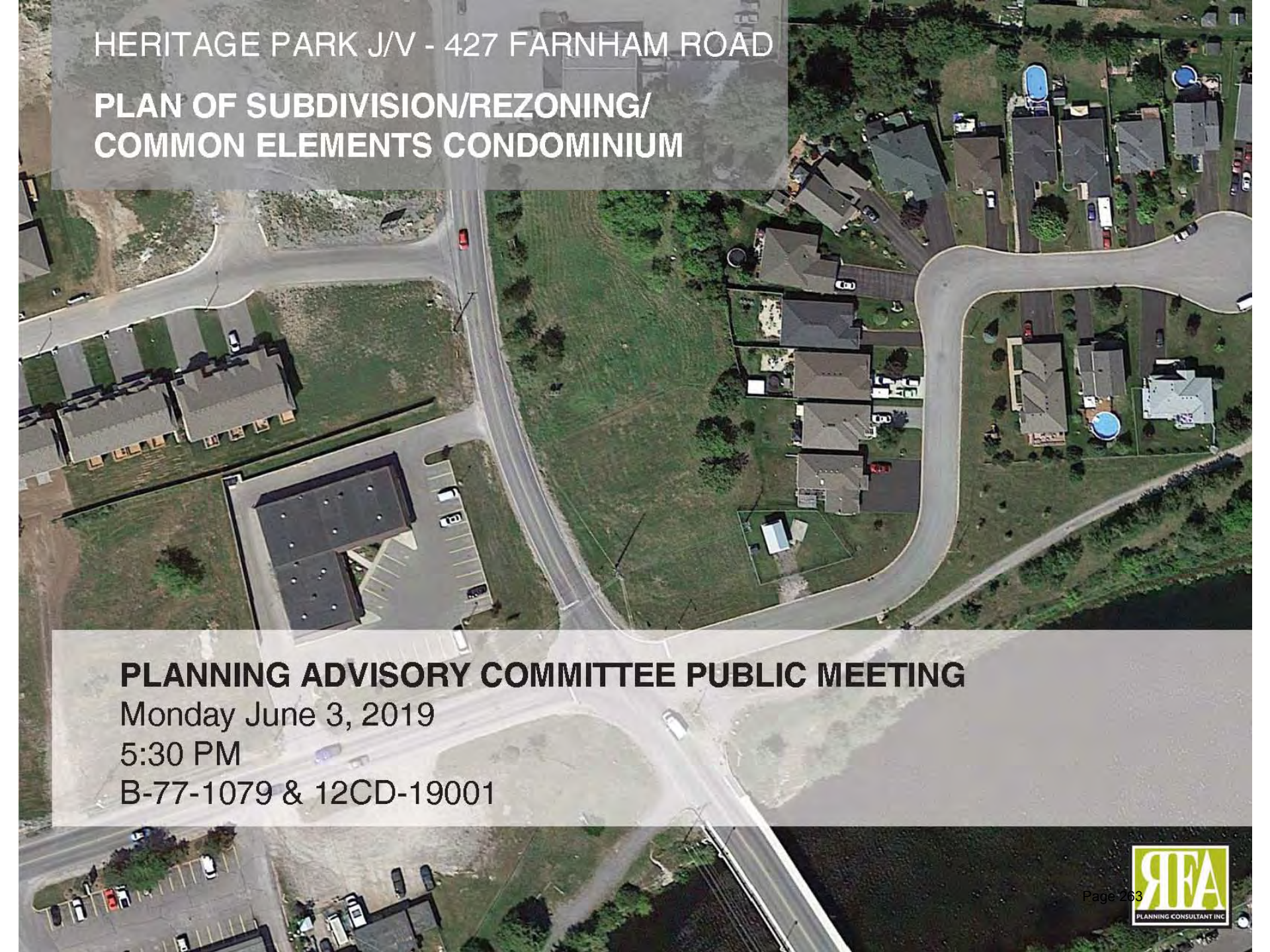
Respectfully submitted this 24th day of June, 2019.

XXXXX XXXXXX

XXXXXXXX XXXXXX

23 Moira Lea Court

Belleville, Ontario



HERITAGE PARK J/V - 427 FARNHAM ROAD

PLAN OF SUBDIVISION/REZONING/
COMMON ELEMENTS CONDOMINIUM

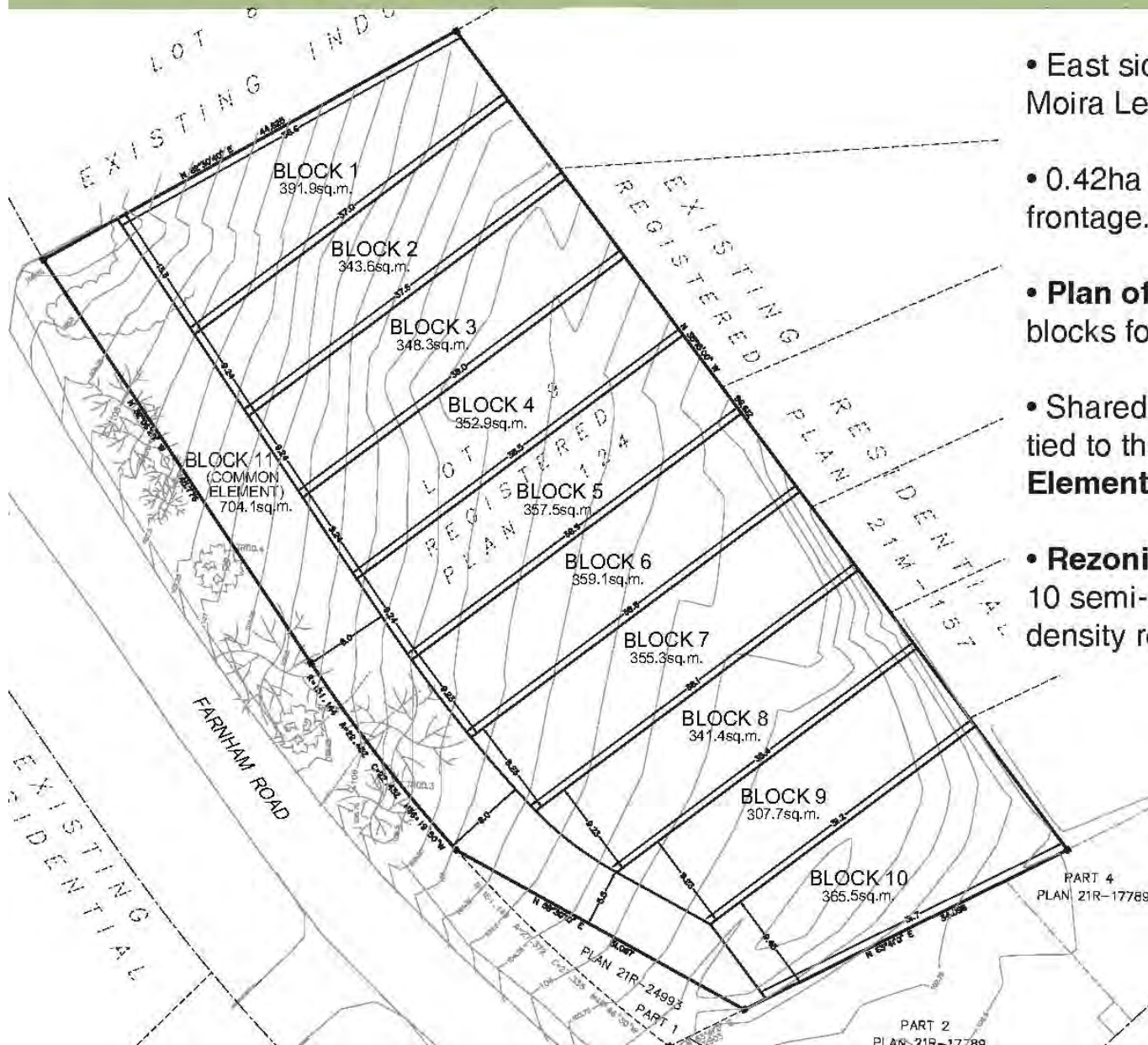
PLANNING ADVISORY COMMITTEE PUBLIC MEETING

Monday June 3, 2019

5:30 PM

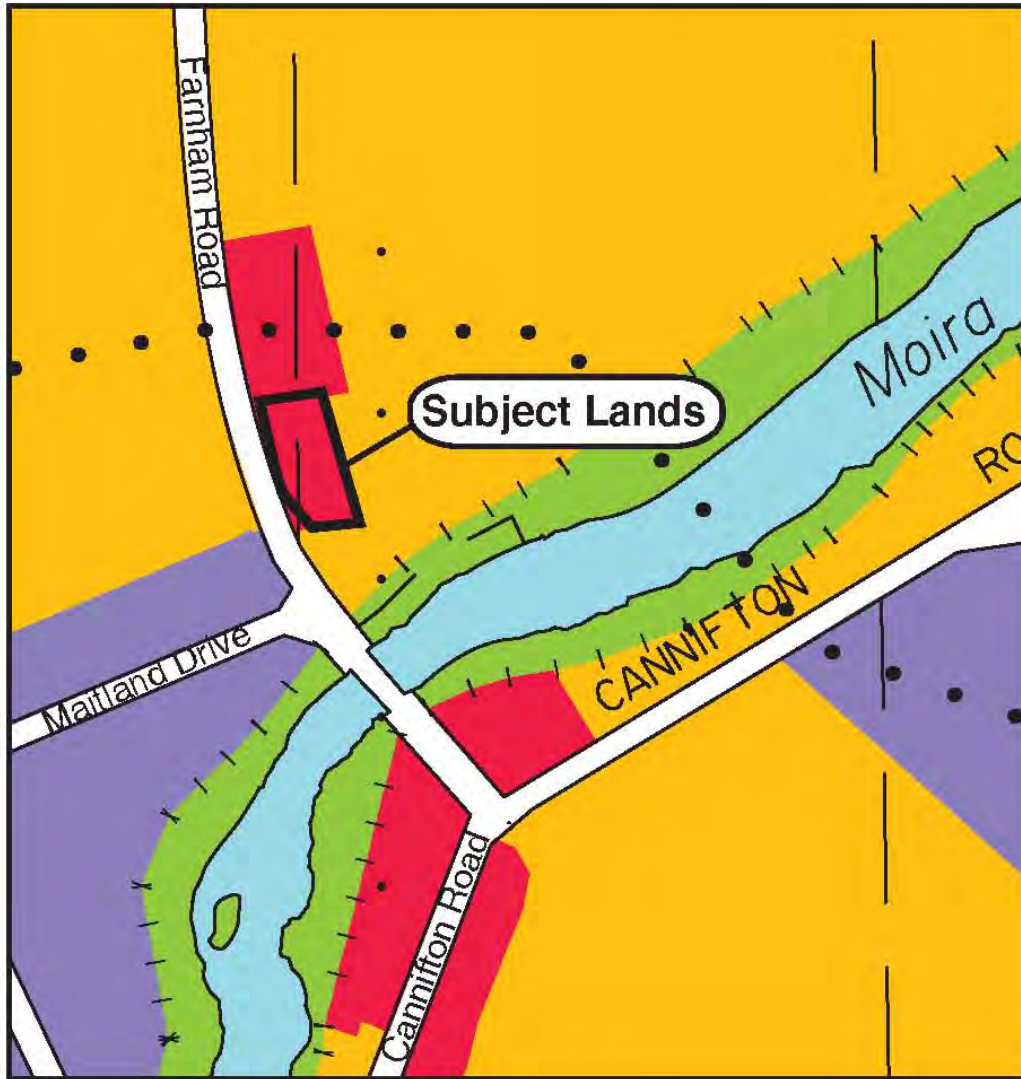
B-77-1079 & 12CD-19001

Planning Applications



- East side of Farnham Road, north of Moira Lea Court.
- 0.42ha (1 acre) and 99.3m (326 ft) frontage.
- **Plan of Subdivision** creates 10 blocks for 10 semi-detached units.
- Shared driveway (Block 11) will be tied to the 10 units as a **Common Element of Condominium**.
- **Rezoning** to R2-15 Zone to permit 10 semi-detached units, a low density residential use.

Official Plan Land Use Designation



Land Use Designation: Commercial

- Subject lands are designated “**Commercial**” in the Belleville Official Plan.
- City staff have interpreted that this designation also allows residential uses.
- Farnham Road is a **Collector Road** in the Official Plan.
- Maitland and Cannifton are also Collector Roads.
- A new roundabout intersection is currently under construction for Farnham and Maitland.

Surrounding Land Uses



- Surrounding land uses are industrial, commercial, medium and low density residential.
- The subject property transitions between lower density residential and industrial/commercial uses.
- The site location meets all criteria for low density residential uses in the Official Plan.

Front & Rear Elevations

Front Elevation



Rear Elevation



Floor Plan



- All units are 1 storey 1 bedroom units of 1,306 sq. ft. and 1,339 sq. ft.
- Each unit will have a covered front porch, rear deck and attached garage.
- All units will be offered for sale as freehold properties and POTL's.
- Sale price estimated at \$330,000 - 370,000.
- The condominium formed with the subdivision will oversee the maintenance/repair of the internal driveway.

Development Site Plan



- The density has been reduced to low density 23.7 units/hectare.
- The rear yards will be landscaped with trees and a 1.8m high privacy fence along the lot line.
- Driveways will be extra long to allow 2 tandem parking spaces per driveway plus garage or at the end of the private laneway.
- Road entrance provided by 2 shared driveways and an internal laneway.
- Visitor parking has been provided.
- All of the backyards are 7.5m (24.6ft) deep.

Official Plan Policies

Official Plan Policies

3.10.2 Residential Policies

- a) Residential development within areas designated Residential land use should be permitted to occur at various densities within the City to ensure a full range of housing forms at different sizes and styles that meets the needs of all citizens is provided. The densities that are supported by this Plan are as follows:
- i) **Low density** residential uses would normally include one family detached and **attached two-family dwellings**, developed up to **18 units per hectare gross residential density** or **25 units per hectare net residential density**.

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

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

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

The proposal for the subject lands is for 10 dwelling units on a property with an area of 0.4227m². This works out to a net residential density of 23.7 units per hectare.

The proposed use, and density for this project falls within in the low density category.

Official Plan Policies

7.6 Urban Design

In order to enhance the amenity of the City for urban and rural living, it is important that this Plan encourage the application of high standards of urban design wherever possible. Urban design objectives can be achieved through:

- landscaping of new development and upgrading landscaping of existing development;
- encouragement for good architectural design of new structures and sympathetic treatment of the architecture of existing structures;

7.6.1 Tree Planting and Landscaping

- a) Owners of private lands are encouraged to undertake tree planting programs to improve the amenity of their lands and to complement tree plantings along public streets. On private lands a wider variety of species can be employed, including many varieties of coniferous trees. Tree planting may be required pursuant to the approval of new subdivisions and site plans for new developments.

Tree planting on private lands can be supplemented by effective use of shrubs, ground coverings, and other landscape features. It is essential that the design of landscapes for all lands be appropriate to prevent soil erosion.

Tree planting and the use of shrubs and other landscape features will be employed in the development of this site.

7.6.4 Architecture and Site Design

- a) This Plan encourages the development of new buildings employing an architectural design that is attractive, functional, and in keeping with the character of the area in which the development is to occur.

The new buildings proposed for the subject lands are attractive and in keeping with the character of the abutting area to the east.

Nearby Built Form



View looking west from Moira Lea Court (#17 Moira Lea Court pictured)



View looking east from the subject property onto 17 Moira Lea Court

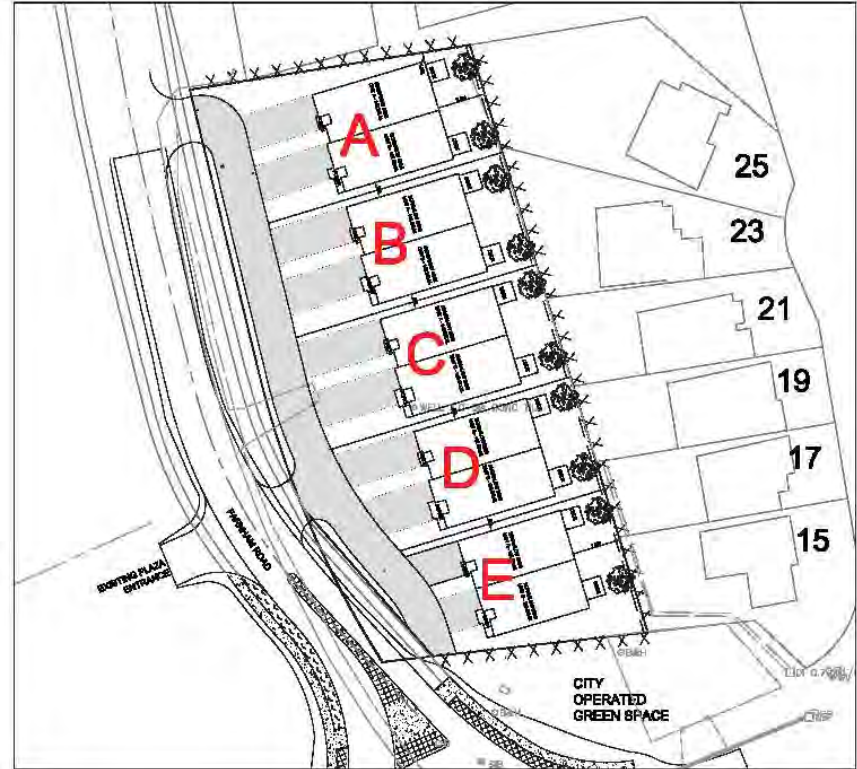
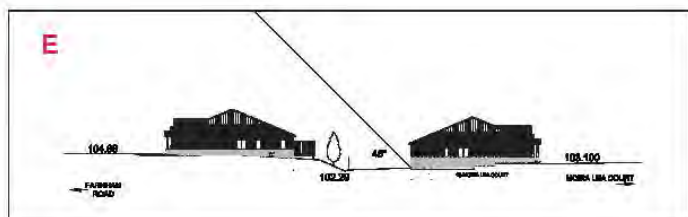
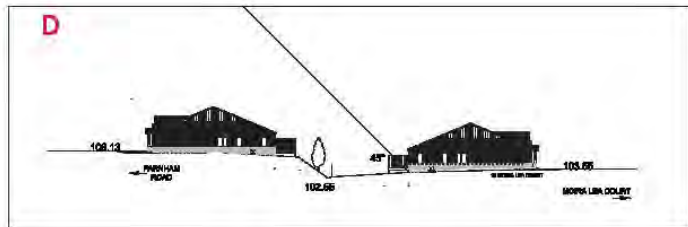
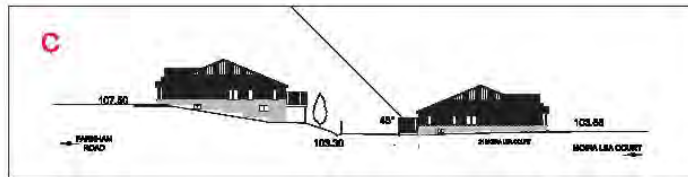
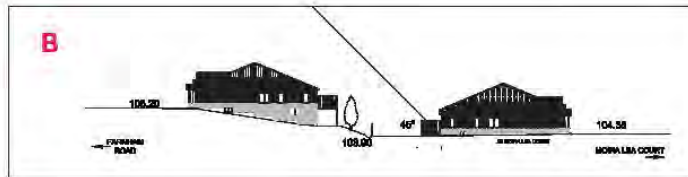
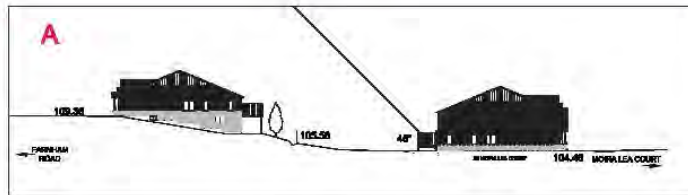


View looking west from Moira Lea Court (#21 Moira Lea Court pictured)



View looking east from the subject property onto 21 Moira Lea Court

Angular Study



KEY MAP
SCALE 1:500

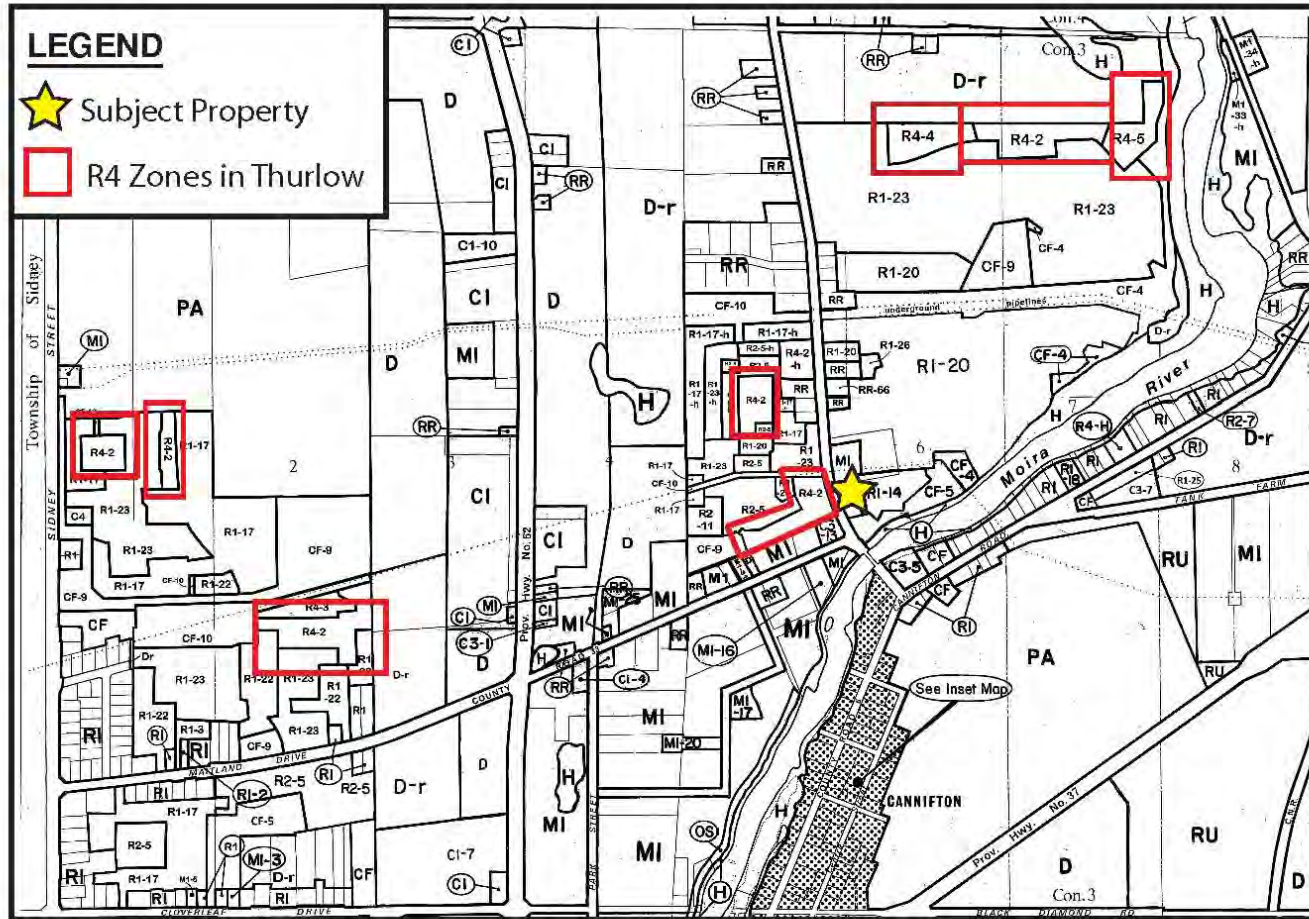
45° angle from back wall and from rear property line indicate clear sky.

Zoning By-law Requirements

DWELLING TYPE	For a SEMI-DETACHED DWELLING			
	THURLOW R2 ZONE	BELLEVILLE R4 ZONE	THURLOW R4-2 ZONE	PROPOSED
LOT FRONTAGE PER DWELLING UNIT (MINIMUM)	10.5m	9.0m	10.5m	9.23m
LOT AREA PER DWELLING UNIT (MINIMUM)	325.0m ²	337.0m ²	300.0m ²	307.7m ²
FRONT YARD SETBACK (MINIMUM)	7.6m	3.6m	6.0m	6.0m
REAR YARD SETBACK (MINIMUM)	7.6m	7.5m	7.5m	7.5m
INTERIOR SIDE YARD SETBACK - 1 STOREY	2.0m	1.2m	1.2m	1.2m
GROSS FLOOR AREA (MINIMUM)	83.0m ²	83.5m ²	83.0m ²	137.7m ²
LOT COVERAGE (MAXIMUM)	35%	35%	50%	41.6%
BUILDING HEIGHT (MAXIMUM)	11.0m	10.6m	11.0m	8.8m
	Thurlow parent by-law	South of 401	Thurlow urban area	

Blue = meets with zone requirement

R4 Zones In Thurlow (For Semi-Detached Dwellings)



- The proposed R2-15 Zone is the same as the R4-2 zone that has been used in Settlers Ridge, Heritage Park and Canniff Mills Subdivisions.
- The 10 dwellings will meet the R4-2 Zone provisions for semi-detached dwellings.

Air Photos

Chelsea Crescent



Gale Crescent



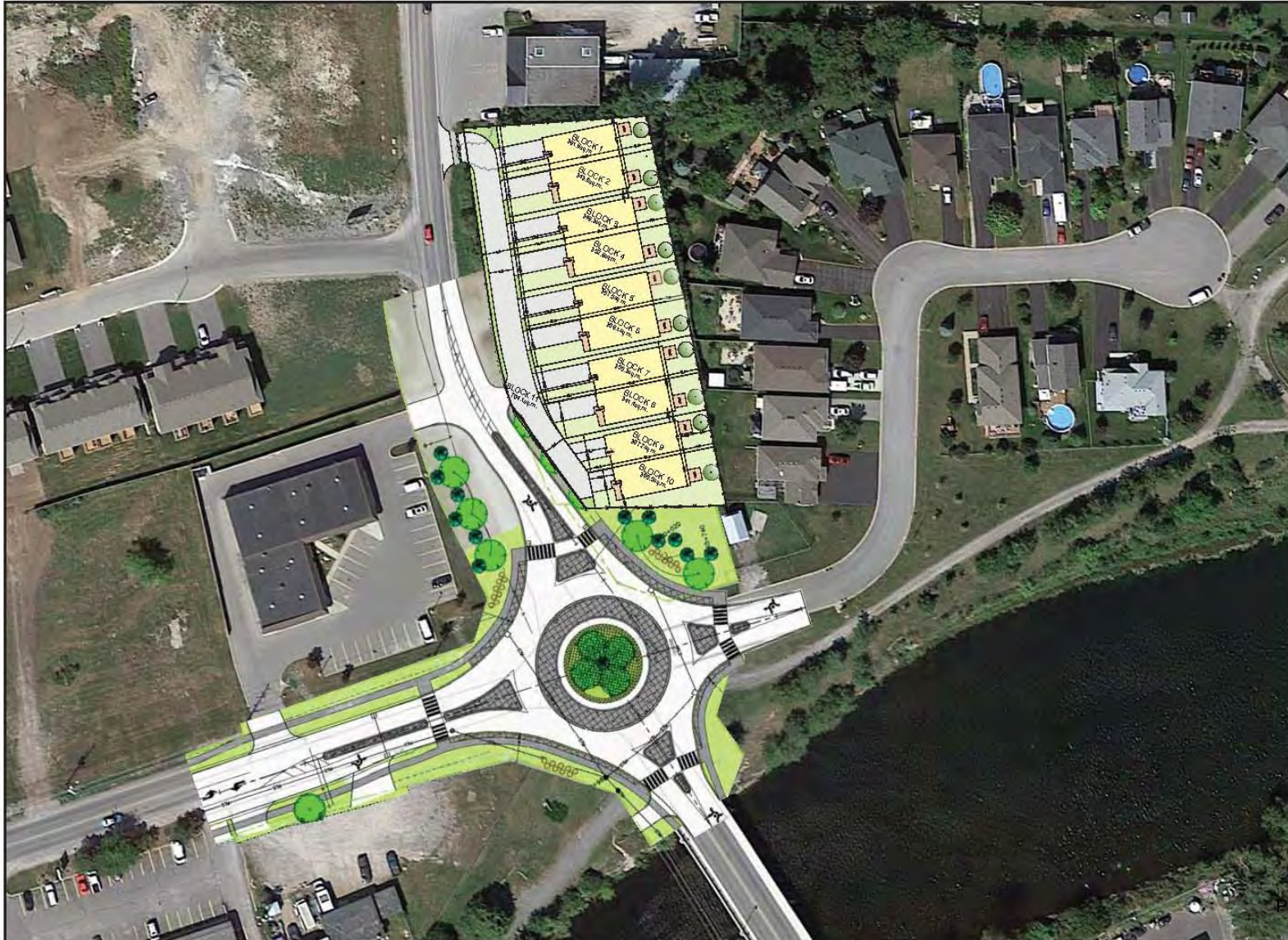
Public Information Meeting

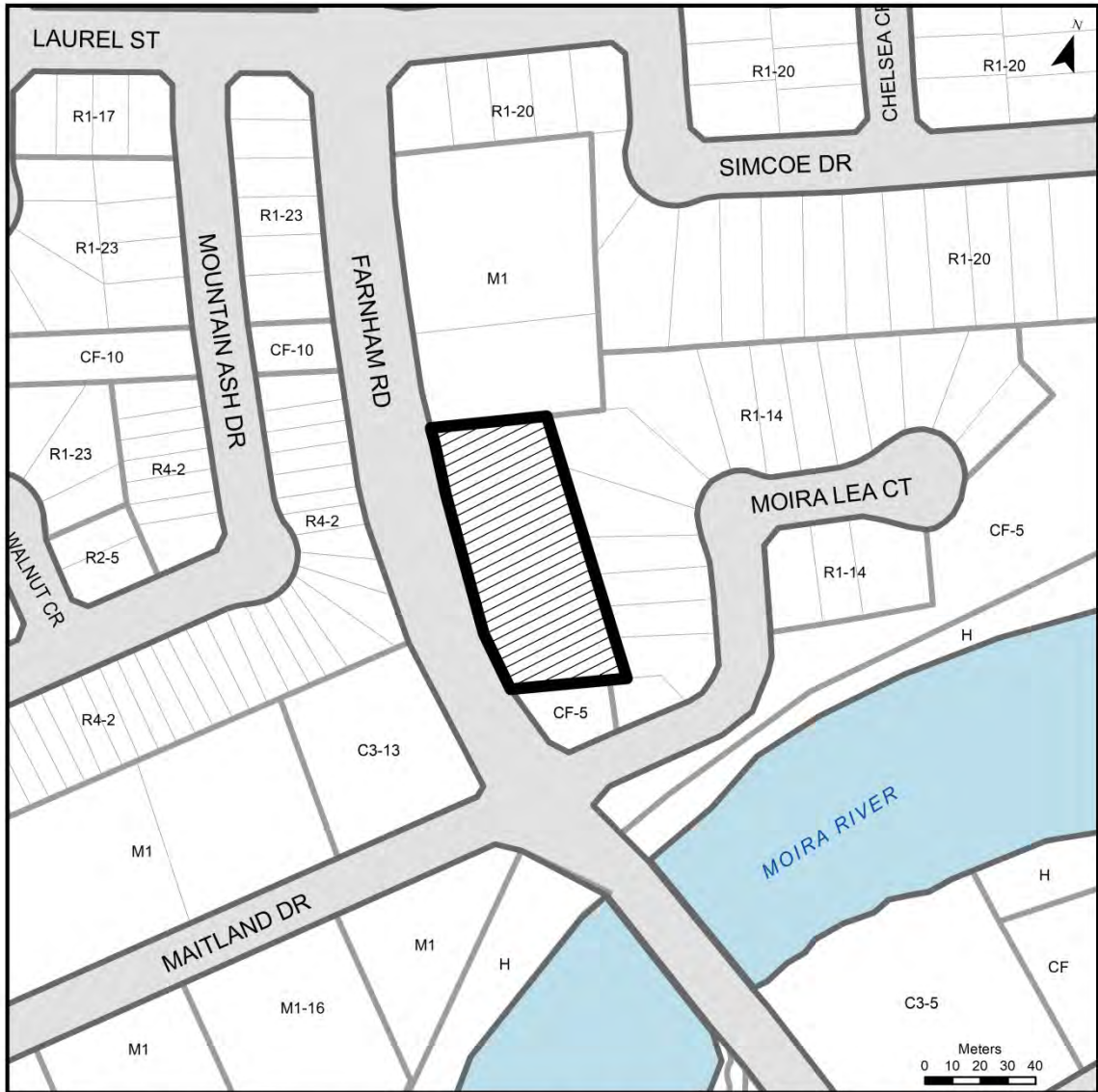
- The consultant team and developer held a Neighbourhood Meeting on March 20, 2019 from 6PM-8PM at the Quinte Sports & Wellness Centre.
- All property owners within 120m were sent invitations by mail.
- 9 citizens representing 6 households attended the March 20th Public Meeting.
- A second Neighbourhood Meeting was held on May 22, 2019 from 6:30pm-8PM.
- 9 citizens representing 3 households attended the May 22nd Public Meeting.
- Copies of the angular study and the revised site plan as well as revised building elevations, building footprint and revised zoning information were shown and provided at the meeting.
- The applicant and their consultants have provided a written response to all the questions raised to date and submitted the answers to city staff.

Process Summary

- ✓ The application has evolved through 3 iterations based on comments received from the Public.
- ✓ Each iteration has decreased the number of dwelling units and changed the type of building form.
- ✓ The proposal is a more compatible land use than the commercial use currently allowed by the OP designation.
 - Meets criteria of Section 51(24) of the Planning Act regarding Subdivision of Land.
 - Consistent with 2014 PPS.
 - Conforms to the Belleville Official Plan.
- ✓ Proposal is now being developed according to the established standards for semi-detached dwellings in the urbanized area of Thurlow Township.


Questions?






PROPOSED ZONING BY-LAW AMENDMENT

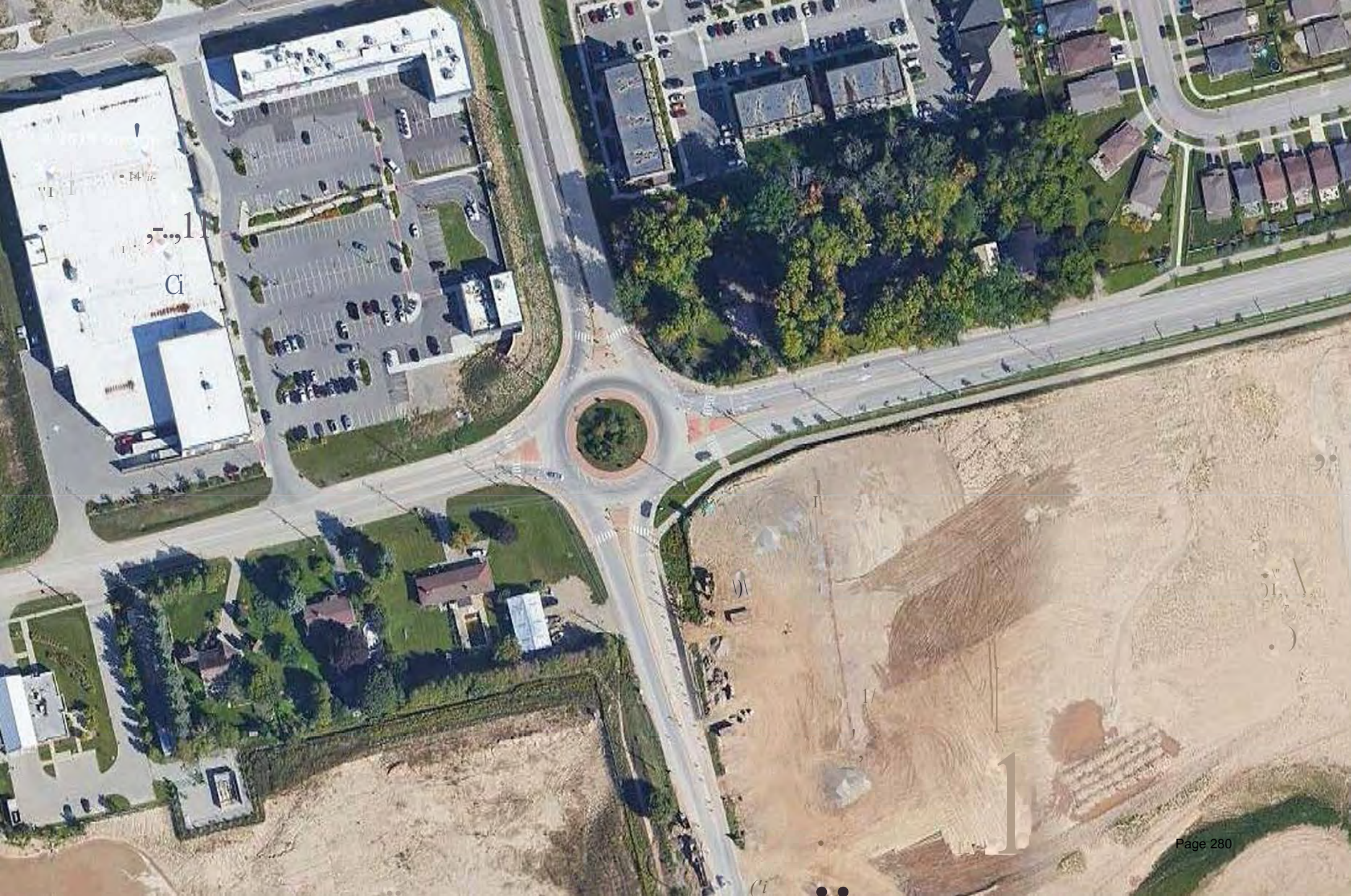
LOCATION: FARNHAM RD

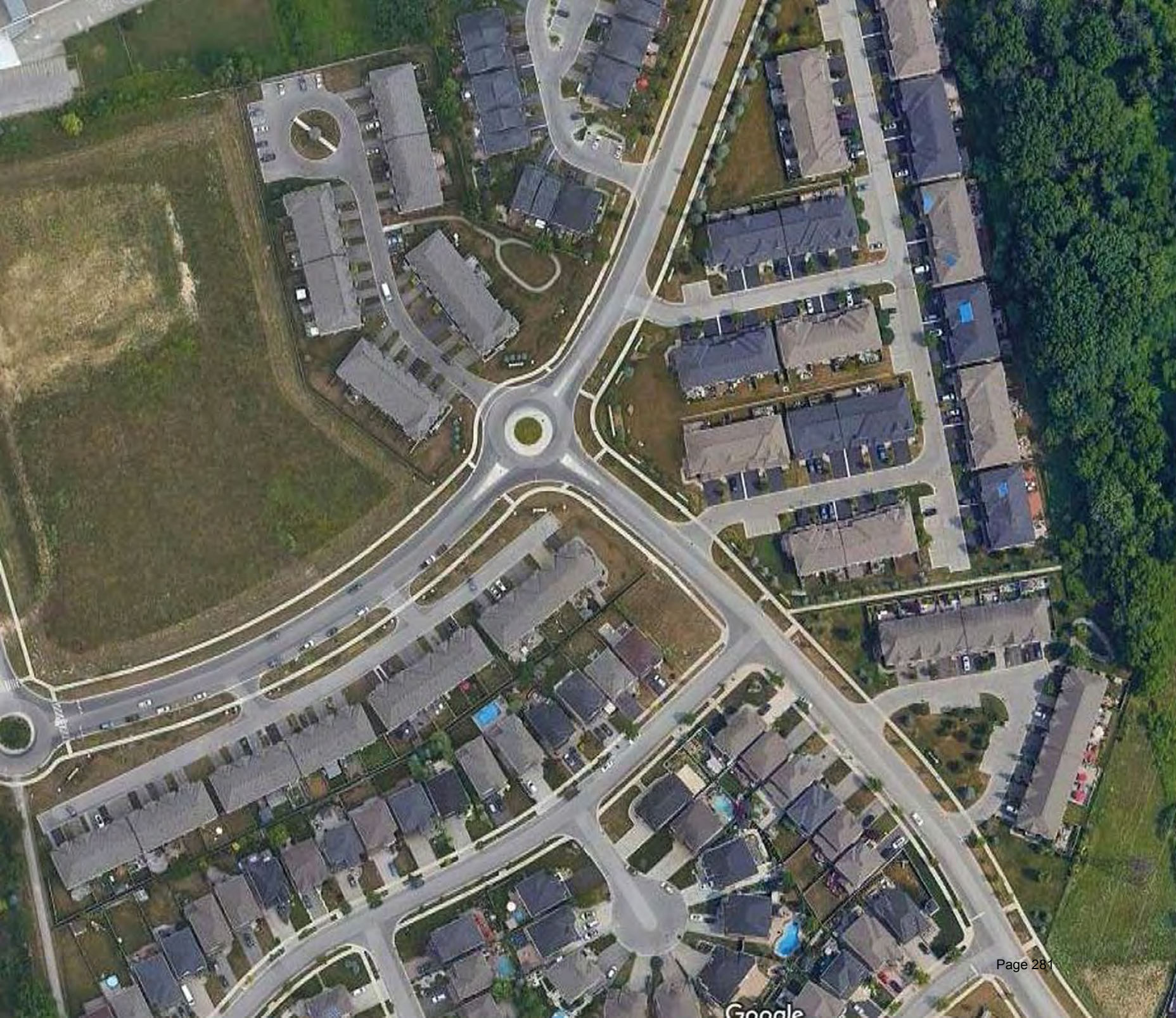
 PROPOSED ZONING CHANGE FROM RR (RURAL RESIDENTIAL) TO R4-2 (HIGH DENSITY RESIDENTIAL WITH SPECIAL PROVISIONS)



 **CITY OF BELLEVILLE**
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT

B-77-1079









100 Craig Henry Drive, Suite 201
Ottawa, Ontario, K2G 5W3

MEMORANDUM

TO: Stephen Ashton **DATE:** April 25, 2019
FROM: Stephen Brook, P.Eng. **PROJECT #:** BTE19-017
PROJECT: 427 Farnham Road Development Application, City of Belleville
SUBJECT: Peer Review of Traffic Concerns

BT Engineering carried out planning studies for three roadways in the City of Belleville: Mineral Road, Maitland Drive and Farnham Road. BTE also undertook the Environmental Assessment and Environmental Study Report for Farnham Road. The Environmental Assessment commenced in 2014 and was completed in 2016, and included evaluation of intersection improvements based on existing and projected traffic volumes. The projected traffic is based on existing traffic volumes adjusted for future growth (development) using the existing land use designations in the municipality.

Specific to the subject lands, the design requirements of the roads and intersection were based on this site being developed as a commercial use as opposed to the proposed residential use. The Environmental Assessment would therefore have considered a higher generation of traffic occurring at the lands subject to the zoning application. Residential development of the subject lands results in lower traffic generation and does not impact the findings of the EA.

For the Environmental Assessment, both pedestrian and vehicular traffic were considered. Sidewalks along both sides of Farnham Road were recommended and it is our understanding that the City intends to construct these coincidental with the road reconstruction. Pedestrian crossings were recommended in accordance with *TAC Design Guidelines* to allow pedestrians to navigate the roundabout itself.

In conducting the Environmental Assessment of the Farnham Road Master Plan including the roundabout, we were asked by the City of Belleville to address the concerns of the public in regard to the City of Belleville Application File # 1079 (427 Farnham Road). The following are a list of concerns from the public process provided to us from City Staff along with our responses. Where possible, we have referenced the Farnham Road Master Plan Document directly.

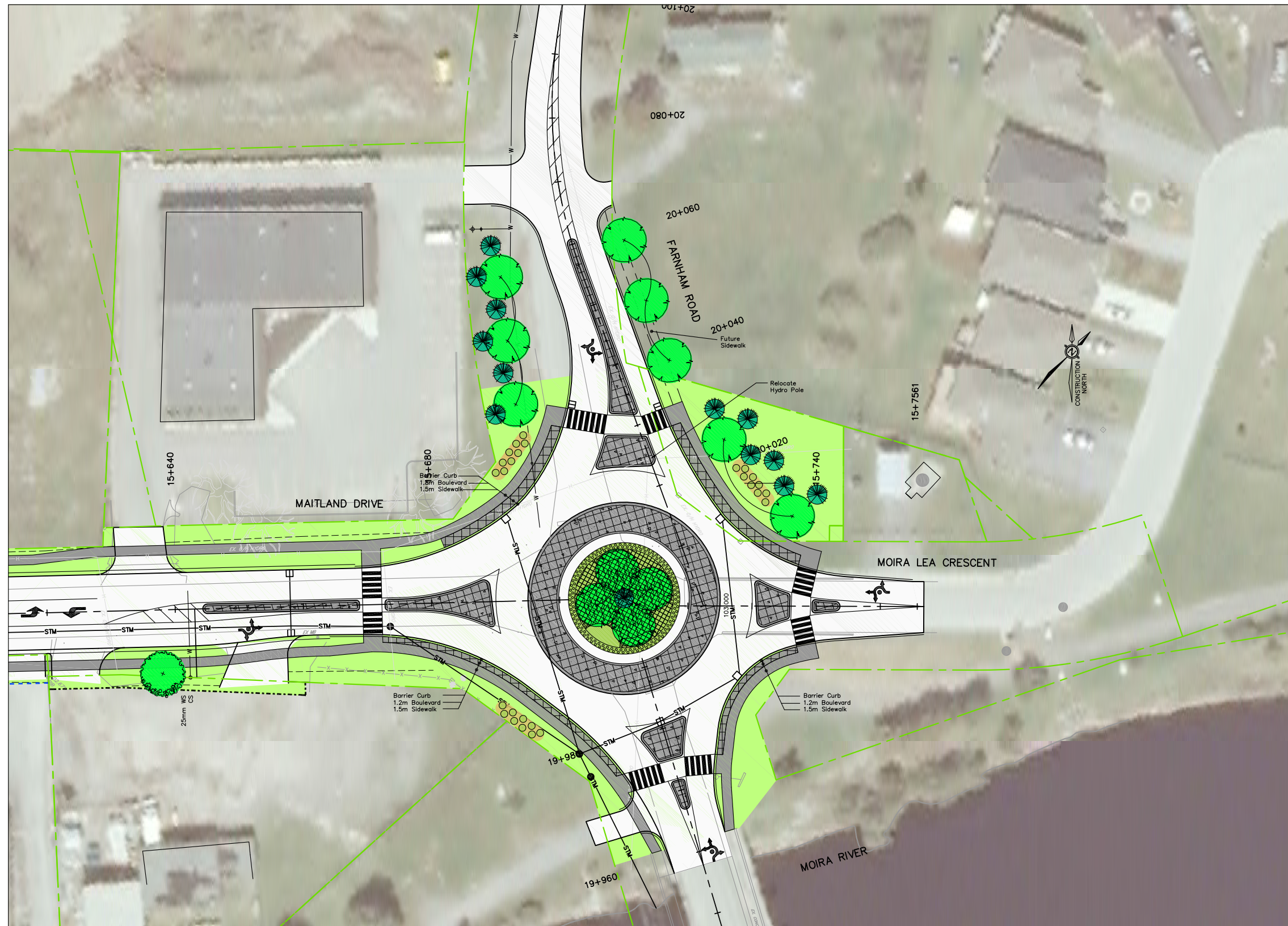
Identified Public Concern	BTE Response
Traffic congestion from project in close proximity to roundabout with high levels of traffic	The proposed development will generate a limited volume of traffic, estimated to be approximately 10 vehicle trips during the peak hour. This limited increase in traffic volumes will not result in congestion at the intersection. To avoid the potential for visitors parking impacting traffic operations, consideration could be given to designating No Parking on Farnham Road from the roundabout along the frontage of the site.
Proposed medians of the traffic circle	The proposed south entrance would be located opposite the

could interfere with traffic from proposed development	existing entrance to the commercial plaza. As a result, full movements would be available at both proposed entrances to the development.
The 2 entrances are close to the roundabout causing issues of access	From our review of the proposed site plan, suitable separation between the 2 entrances appears to be provided.
Steep slope of Farnham towards the roundabout a safety concern	The EA assessed the grade and road profile of Farnham Road approaching the roundabout and alternatives were evaluated to consider this. The final road profile will be constructed in accordance with TAC guidelines.
Will more effective lighting be installed in this area?	There is a lighting plan at the roundabout being installed as part of the City's ongoing construction project that has been designed following the illumination guidelines of ANSI/IESNA RP-8-00. It is noted that this lighting will consist of decorative light standards to match what is on the bridge.
Clear signage with arrows/instructions and speed restrictions are key to roundabout	Signage at the roundabout will be installed consistent with the design guidelines of the Ontario Traffic Manual. There will also be an education initiative by the City regarding the use of roundabouts.
Business plaza at opposite corner creates enough congestion	The attached Figure 21 from the Farnham Road Master Plan illustrates that both the existing plaza along with the south entrance of the proposed development at 427 Farnham Road were considered, with the recommendation that these entrances be located opposite of each other.
Expansion of Canniff Mills and Heritage Park and other traffic means traffic beyond capacity for the current road design	The Municipal Class Environmental Assessment included a traffic study which considered full buildout of the area. The design recommendations address forecast population growth and traffic projections.
City's Plan also requires "a 30 metre right of way be protected northward along Farnham Road to allow for any future road widening accommodating additional development further north". How will this be accommodated?	The proposed plans for 427 Farnham do not propose buildings within the future (beyond the 20 year horizon) 30 metre right-of-way; therefore, the 30 metre right-of-way is protected.

<p>Has the City done its due diligence regarding traffic flow and pedestrian safety?</p>	<p>The City undertook a Municipal Class Environmental Assessment for the Farnham Road/Maitland Drive Intersection improvements. Based on the evaluation of traffic volumes, turning movements, pedestrian safety, and public feedback, a roundabout was recommended as the technically preferred alternative for this intersection. The roundabout will address traffic flow and pedestrian safety for existing conditions and the anticipated growth of this community.</p>
<p>What about sidewalks – pedestrian safety</p>	<p>Sidewalks are included in the project. Sidewalks and crosswalks for the roundabout are shown in Figure 21 which is attached. Coincidental with the reconstruction of Farnham Road, the City has confirmed that sidewalks will be constructed along Farnham Road on both sides of the road in the area of the proposed development. The final design of the sidewalks will be illustrated in the construction drawings.</p>
<p>Conflict with School buses – how will they pick up kids here when drivers must stop 20 metres either in front or behind the bus</p>	<p>School buses have procedures for picking up passengers which include where bus stops are located in relation to an intersection. It is our understanding that the school boards have been circulated the notices regarding the zoning application. They are the authorities with regard to school bus stop locations and have not expressed any concerns to the City.</p>
<p>If there is an accident at the roundabout vehicles could crash out of the roundabout into the proposed townhouses as they will be so close</p>	<p>Roundabouts have a number of benefits over traditional intersections, including :</p> <ul style="list-style-type: none"> • Safety: lower speeds and fewer points of conflict between vehicles reduces the potential for serious crashes and injury • Lower speeds : unlike at a green light at an intersection, vehicles need to slow down to use a roundabout, reducing the likelihood of a serious crash <p>Curbing through the roundabout prevents corner cutting, helping to ensure lower operating speeds by confining vehicles to the intended path.</p>
<p>Area is already a concern for speeders</p>	<p>See response above.</p>

In summary, based on our review of the proposed development, it is our professional opinion that the traffic that will be generated can be suitably accommodated and will not interfere with the operation of the roundabout.

FIGURE 21
TECHNICALLY PREFERRED FOR MAITLAND DRIVE AND FARNHAM ROAD INTERSECTION



Proposed Site Plan – 26m Right-Of-Way



<p>SITE PLAN HERITAGE PARK PLAN 21R-9023 PART OF LOT 5 EAST OF TOWNSHIP ROAD REGISTERED PLAN No. 124 FORMER TOWNSHIP OF THIRLBY CITY OF BELLEVILLE COUNTY OF HASTINGS SCALE: 1:500 METRIC</p> <p>METRIC NOTE: DIMENSIONS SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET/INCHES BY DIVIDING BY 0.3048.</p> <p>CONTAINER NOTE: CONTAINERS PROVIDED BY AGENCY GROUP. CONTAINERS DRAWN AT 25mm INTERVALS.</p> <p>PLANNING NOTE: ALL DIMENSIONS SHOWN ARE UNLESS OTHERWISE SPECIFIED. THE DIMENSIONS OF ALL DIMENSIONS SHOWN ARE UNLESS OTHERWISE SPECIFIED. THE DIMENSIONS OF ALL DIMENSIONS SHOWN ARE UNLESS OTHERWISE SPECIFIED. THE DIMENSIONS OF ALL DIMENSIONS SHOWN ARE UNLESS OTHERWISE SPECIFIED.</p> <p>DATE: 2018-11-14 DRAWN BY: J. SMITH CHECKED BY: J. SMITH SCALE: 1:500</p>	<p>CITY OF BELLEVILLE</p>	<p>SURVEYOR'S CERTIFICATE I CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SURVEYED ARE CORRECTLY SHOWN.</p> <p>DATE: _____ SURVEYOR: _____</p> <p>WATSON LAND SURVEYORS LTD 200 CHURCH STREET, BELLEVILLE, ONTARIO K8N 1K6</p> <p>PROFESSIONAL REGULATION OF PROFESSIONAL ENGINEERS AND SURVEYORS OF ONTARIO (R.P.P.)</p> <p>REA REAL ESTATE ASSOCIATION OF ONTARIO</p> <p>637-SP</p>
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Conceptual Site Plan – 30m Right-Of-Way



30.0m RIGHT-OF-WAY

<p>SITE PLAN HERITAGE PARK PLAN 21R-17789 PART OF LOT 8 EAST OF TOWNSHIP ROAD REGISTERED PLAN NO. 124 FORMER TOWNSHIP OF THURLOW CITY OF BELLEVILLE COUNTY OF HASTINGS SCALE: 1:200 METRIC</p> <p>METRIC NOTE: DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO IMPERIAL BY DIVIDING BY 0.3048. CONTOUR ELEVATIONS: CONTOUR INTERVALS PROVIDED BY SALES DRAWING: CONTOURS SHOWN AT 0.30M INTERVALS. PLANNING COMMENT: ALL DIMENSIONS SHOWN ARE RELATED TO THE PROPERTY LINE UNLESS OTHERWISE SPECIFIED. THESE DIMENSIONS WILL BE SUBJECT TO THE CITY OF BELLEVILLE'S REVIEW AND APPROVAL. THE CITY OF BELLEVILLE IS NOT RESPONSIBLE FOR THE ACCURACY OF THE DIMENSIONS SHOWN ON THIS PLAN. THE CITY OF BELLEVILLE IS NOT RESPONSIBLE FOR THE ACCURACY OF THE DIMENSIONS SHOWN ON THIS PLAN.</p> <table border="1" style="width: 100%; font-size: small;"> <tr> <td>DATE OF PLAN</td> <td>DATE OF PLAN</td> </tr> <tr> <td>DATE OF PLAN</td> <td>DATE OF PLAN</td> </tr> <tr> <td>DATE OF PLAN</td> <td>DATE OF PLAN</td> </tr> <tr> <td>DATE OF PLAN</td> <td>DATE OF PLAN</td> </tr> </table>	DATE OF PLAN	DATE OF PLAN	DATE OF PLAN	DATE OF PLAN	DATE OF PLAN	DATE OF PLAN	DATE OF PLAN	DATE OF PLAN	<p>INSET MAP CITY OF BELLEVILLE SUBJECT PROPERTY</p>	<p>SURVEYOR'S CERTIFICATE I CERTIFY THAT THE DIMENSIONS OF THE LAND TO BE SURVEYED ARE CORRECTLY SHOWN.</p> <p>DATE: _____ DATE: _____</p> <p>WATSON LAND SURVEYORS LTD. 210 CHURCH STREET, BELLEVILLE, ONTARIO K8B 7G9</p> <p>637-SP</p>
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Mr. Stephen Ashton, MCIP, RPP, CAHP
Manager, Policy Planning
City of Belleville
169 Front Street
Belleville ON K8N 2Y8

Mr. Greg Pinchin
Manager, Approvals Section
City of Belleville
169 Front Street
Belleville, ON K8N 2Y8

Dear Steve & Greg:

**RE: Table – Response to Public Comments
Application for Zoning By-law Amendment, Plan of Subdivision & Plan
of Common Elements Condominium – Heritage Park Joint Venture,
427 Farnham Road, City of Belleville**

Further to the Planning Advisory Committee meetings held on April 1, 2019 and June 3, 2019 to review the above noted applications, please find attached a table outlining the Applicant's response to the questions and issues raised from the Public and members of the Planning Advisory Committee.

Please do not hesitate to contact me if you require anything further in support of the approval of these applications.

Yours truly,

A handwritten signature in black ink that reads 'Spencer Hutchison'. The signature is written in a cursive style with a small circle above the 'o' in Hutchison.

Spencer Hutchison, MCIP, RPP
Senior Associate
RFA Planning Consultant Inc.

/ Attachment

211 Dundas Street East, Suite 202, Belleville, Ontario K8N 1E2

613.966.9070 www.rfaplanningconsultant.ca

Response to Issues Raised

Concerns

Onsite infrastructure issues

<p>Overflow parking from development an issue</p>	<ul style="list-style-type: none"> • The ZBL requires 2 parking spaces/unit. The units have been designed to exceed the Zoning By-law requirements. • Each unit has a garage (1 space) • The northerly 8 units can accommodate 3-4 cars given the width and depth of the driveways. • In addition, under the Building Code, the private road is not required to be designated as a fire route, therefore the private road could be used for overflow parking on occasion. • On special occasions, there is on-street parking for approximately 14 vehicles along Moira Lea Court Just east of Farnham Road.
<p>How will emergency vehicles navigate these parked vehicles?</p>	<ul style="list-style-type: none"> • The private road will be constructed to be wide enough to accommodate the width of emergency vehicles and with 2 entrances there is alternative access routes provided.
<p>How will Snow Removal occur</p>	<ul style="list-style-type: none"> • Snow will be plowed to the sides of the private laneway like any roadway. Accumulation will occur at the ends of the laneway. • At such time as enough snow accumulates, the snow will be removed from the property. • Snow plowing and removal will be the responsibility and under the control of the Condominium Board which will legally ensure proper snow clearing.
<p>Will service road be able to accommodate garbage and recycling trucks?</p>	<ul style="list-style-type: none"> • As with other similar developments in Belleville, garbage and recycling trucks do not enter the property but gather materials adjacent from one of the entrances to the development from Farnham Road.
<p>Where would new additional road go? (Off Farnham? Off Moira Lea?)</p>	<ul style="list-style-type: none"> • This development has been designed in conformity with the City's current and future plans for Farnham Road.
<p>Would additional Road directly access the traffic circle?</p>	<ul style="list-style-type: none"> • Access to the subject lands is from two entranceways as shown on the proposed site plan. These access points are located north of the round about and will not directly access the round about.
<p>Would the new traffic circle be torn up and redone when this development occurs? At whose cost?</p>	<ul style="list-style-type: none"> • There is no need to redo/re-engineer the round about since the entrances to the development are located north of the round about. The City's current road project will be largely complete prior to development of the subject lands.

Response to Issues Raised

<p>Could there only be one entrance to the site?</p>	<ul style="list-style-type: none"> Two entrances provide better traffic circulation and better access for emergency vehicles and delivery vehicles. The City’s Engineering consultant has reviewed the proposed site plan and has not identified any problems with 2 entrances.
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Compatibility

<p>Bungalow towns as opposed to 2-storey towns more suitable</p>	<ul style="list-style-type: none"> Following feedback from the Public, the Applicant has revised the project to request 10 1-storey semi-detached units. In addition, the Applicant’s consultants have prepared an angular study of the 10 proposed units and the 6 existing dwellings to the east. The study has shown that the 5 blocks of semi-detached units will have minimal visual impact in terms of building mass and the 10 rear facades will replicate the rear facades of the existing dwellings. In essence, low density dwellings abutting low density dwellings.
<p>Not be sufficient space for privacy between these new buildings and the existing houses</p>	<ul style="list-style-type: none"> The rear yard setback meets the Zoning By-law requirement typical for rear yards in the urban area of the City. Please see 2 attached air photos from abutting subdivision to the north. The rear walls of the abutting dwelling units will be in excess of 50 to 60 feet apart; this is standard in the urbanized area of Thurlow. An 8’ high privacy fence exists, or will be provided, along the rear property line providing at grade privacy. A mature tree will be planted on the east side of each deck proposed for the subject lands.
<p>Tall townhomes (3 levels when considering the walk out basement) is unreasonable</p>	<ul style="list-style-type: none"> The proposal has been amended to 1-storey dwellings (bungalows) to provide greater compatibility with the existing homes.
<p>Its deck would practically be up to our property line and would allow full view of our house and backyard area</p>	<ul style="list-style-type: none"> The proposed rear yard setback is typical of rear yards provided in the urban area and what is proposed can be found throughout the urbanized area of Thurlow. Please see 2 attached air photos from abutting subdivision to the north. An existing house east of the subject lands already has an elevated rear deck. Landscaping in the form of fencing and trees is to be provided.

Response to Issues Raised

	<ul style="list-style-type: none"> • Most people use a deck to cook, socialize on or relax on and as such are occupied by a range of activities and are not using their decks to stare down on abutting lands.
Decks higher than the fence line	<ul style="list-style-type: none"> • See previous response.
Six homeowners in the shadow of proposed development blocking the sun	<ul style="list-style-type: none"> • The proposed dwellings have been reduced to 1-storey in height and an angular plane review has been undertaken. • The review shows that the 10 proposed units to the west are set back far enough to provide a clear line of sight to the sky and do not “crowd” or impose themselves on the existing 6 dwellings.
Want to see the heights of the proposed buildings in relation to surrounding properties	<ul style="list-style-type: none"> • An Angular Plane Review has been prepared and submitted to the Municipality. • This review indicates that the 10 proposed dwellings adhere to recognized standards of compatibility. • All 10 units are well outside the angular plane established from the rear wall of the existing dwellings.

Intensification Site

Too small of a parcel of land to be building 13 units	<ul style="list-style-type: none"> • The number of proposed units has been reduced to 10 semi-detached dwelling units. • According to the City’s Official Plan, in terms of the proposed dwelling type and the number of units proposed, this development now can be classified as low density. • Development is now proposed at under 24 units per hectare. • According to the Thurlow Zoning By-law, the proposed use is now classified as R2 – Low Density Residential Type 2 Zone.
Would a reduction in density be complimentary to PPS?	<ul style="list-style-type: none"> • The proposal is consistent with Section 1.6 of the PPS, since it will optimize the use of existing infrastructure and servicing. • The proposed development is consistent with Section 1.6.6.2 given that municipal water and sewer services are the preferred form of servicing within settlement areas. • The proposed ten units on the site is considered low density and therefore is now more accurately described as infill development instead of intensification.

Response to Issues Raised

<p>How do the size of these lots tie into the surrounding neighbourhoods?</p>	<ul style="list-style-type: none"> • In essence, these lots are not part of the existing neighbourhood. Moira Lea Court is a self-contained inwardly looking cul de sac. • As such the dwellings along Moira Lea Court form their own local neighbourhood with their “backs” to the subject lands. • The subject lands face and front onto a significant collector road with non-residential uses to the north and west and as such does not constitute a normal neighbourhood. • As such, the proposed semi-detached dwellings provide a buffer between the activity on Farnham Road and the low-density residential uses on Moira Lea Court. • As noted previously, the proposed use of the subject property and the existing use of the existing properties along Moira Lea Court are both considered low density and with equivalent built forms.
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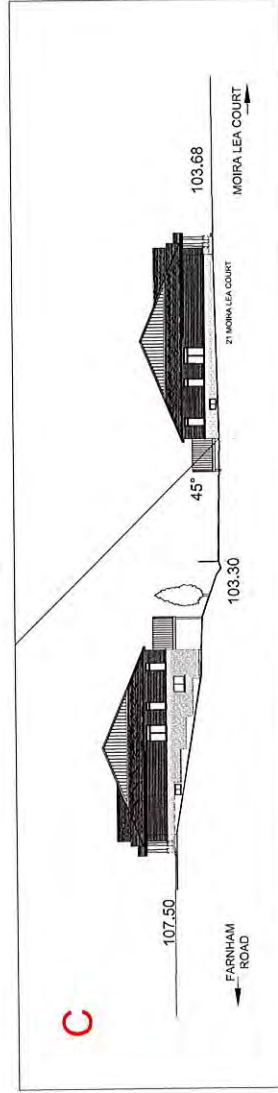
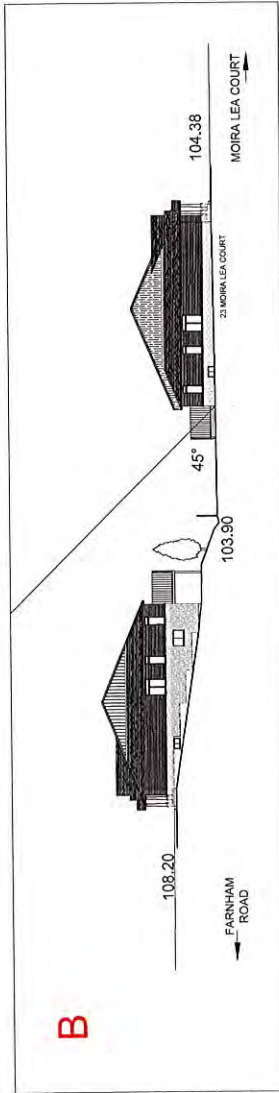
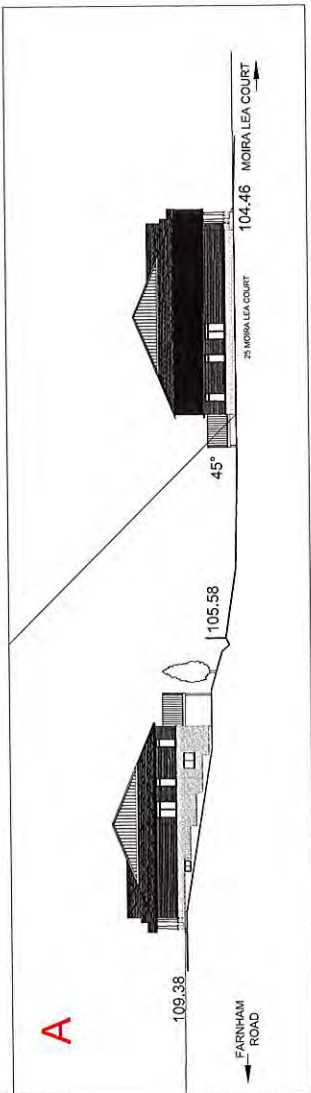
Other

<p>Service Rd. within the parcel of land</p>	<ul style="list-style-type: none"> • A private road is proposed within the development.
<p>Proposed amendment would put a high-density mix of residential into our neighbourhood, potentially freezing or lowering property values</p>	<ul style="list-style-type: none"> • Based on the modelling using by MPAC, property values will most likely go up in Moira Lea Court since the sale prices of the proposed dwellings will be equal to, or greater than that of the existing dwellings.
<p>What safeguards are there that a more intensive development can't be built</p>	<ul style="list-style-type: none"> • Any Zoning Bylaw Amendment passed by City Council will limit the use to semi-detached units and will limit the building height.
<p>Noise concern considering the increase in traffic but also the noise from the units.</p>	<ul style="list-style-type: none"> • Access to the site will be from Farnham Road, the private laneway will be parallel to Farnham Road and the individual driveways will be at the front of the site. No vehicles will have access to the rear of the property which abut the existing homes. • The semi-detached units will buffer the existing subdivision from traffic noise on Farnham Road. • It is anticipated that the semi-detached dwellings will generate as much noise as the existing abutting dwellings. There is no reason for the noise to be any more or any less.
<p>Who will maintain the service road</p>	<ul style="list-style-type: none"> • The Condominium Corporation will maintain the private road.

Response to Issues Raised

<p>Concerned about flooding due to water runoff as we are at the bottom of a hill/stormwater management</p>	<ul style="list-style-type: none"> • A stormwater management report has been prepared and must meet the requirements of the City. • Drainage from the development will not be permitted onto adjacent lands. • As part of the development of the subject lands, engineering drawings will be reviewed and approved by Municipal Staff who will ensure proper stormwater drainage.
<p>Contribute a 5% cash-in- lieu of parkland to the municipality</p>	<ul style="list-style-type: none"> • The City will require a 5% cash-in-lieu parkland payment as part of the approval of the plan of plan of condominium.
<p>They will likely be rentals and surrounding property values will go down</p>	<ul style="list-style-type: none"> • Based on the modelling using by MPAC, property values will most likely go up in Moira Lea Court since the sale prices of the proposed dwellings will be equal to, or greater than that of the existing dwellings. • It is anticipated that level of home ownership will be the equivalent of that currently existing in the local area. • There is no reason for being more or less rental units than the local area.
<p>Reference to rental homes on Cannifton Road with gravel driveways and the chance the same could be repeated here</p>	<ul style="list-style-type: none"> • The internal laneway and individual driveways will be hard surfaced.

FARNHAM ROAD DEVELOPMENT



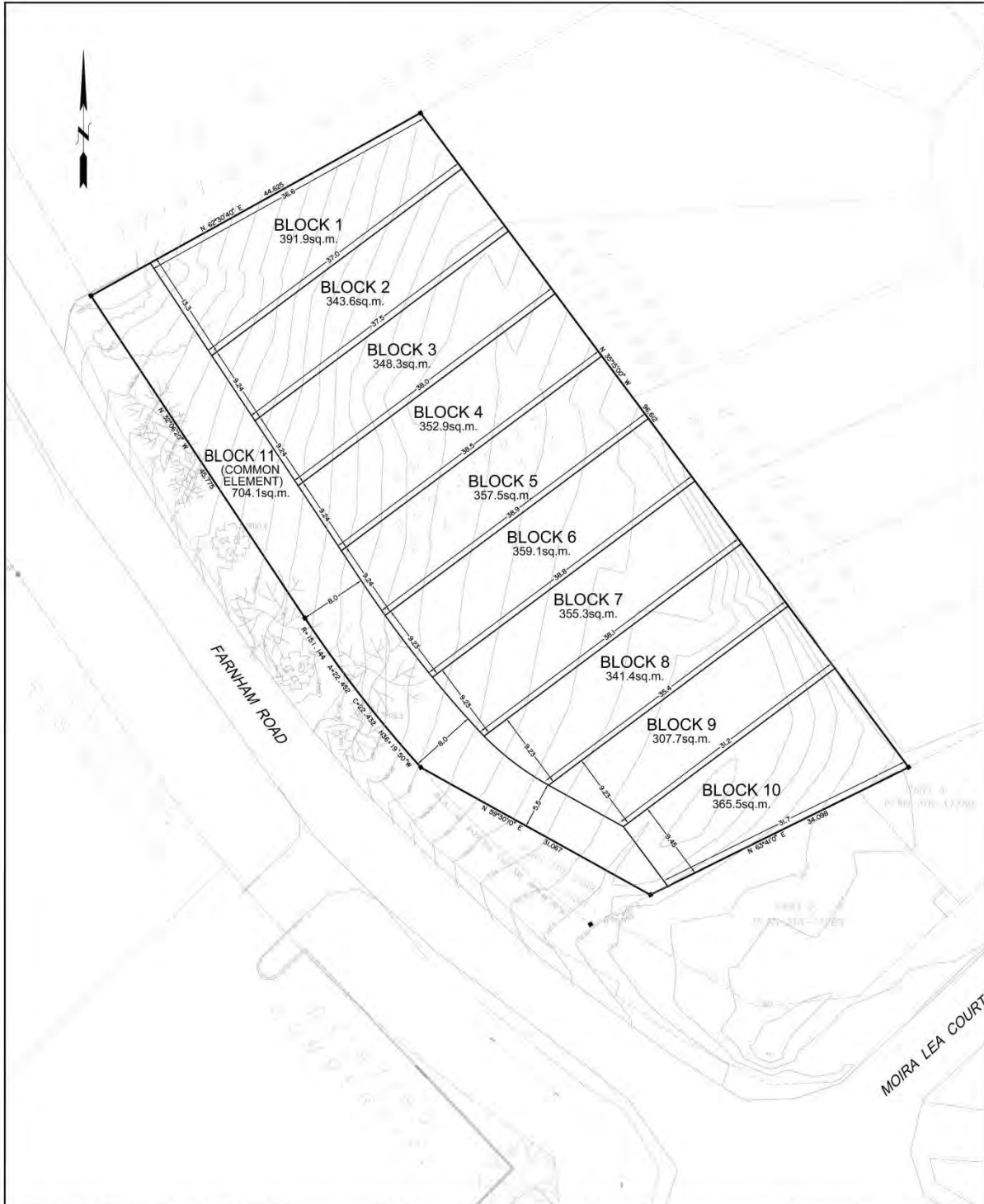
KEY MAP
SCALE 1:500

		CONTRACT No. 17598-1 DWG 17598-1E	
FARNHAM ROAD DEVELOPMENT CITY OF BELLEVILLE ANGULAR PLANE REVIEW			
SCALE	1:250	DATE	APR 2019
DESIGN	C.E.S.	CHECKED	AW
DRAWN	C.E.S.	DATE	APR 2019
PROJECT	FARNHAM ROAD DEVELOPMENT	DATE	APR 2019
REVISIONS		DATE	
1	PRELIMINARY DESIGN	04/24/19	C.E.S.
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Legal Description of Subject Lands

Plan 124 Part of Lot 9, RP 21R-9053 Part 1 except RP 21R-24993 Part 1;
Former Township of Thurlow; City of Belleville; County of Hastings

Proposed Draft Plan of Subdivision



<p>DRAFT PLAN OF SUBDIVISION HERITAGE PARK PLAN 218-0003 PART OF LOT 9, EAST OF TOWNSHIP ROAD REGISTERED PLAN NO. 124 FORMER TOWNSHIP OF THURLOW CITY OF BELLEVILLE COUNTY OF HASTINGS SCALE = 1:200 METRIC</p>	<p>KEYMAP</p>	<p>LANDUSE SCHEDULE</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>LAND USE</th> <th>AREA(m²)</th> <th>AREA(L)</th> <th>UNITS</th> </tr> </thead> <tbody> <tr> <td>BLOCK 1-10 - SEMI-DETACHED DWELLINGS</td> <td>3851.7</td> <td>93.3</td> <td>7</td> </tr> <tr> <td>BLOCK 11 - COMMON ELEMENT PROPOSED DRIVEWAY</td> <td>704.1</td> <td>82.7</td> <td>-</td> </tr> <tr> <td>SITE TOTAL</td> <td>4555.8</td> <td>100.08</td> <td>10</td> </tr> </tbody> </table> <p>ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT</p> <ul style="list-style-type: none"> 10 SEE SURVEYORS CERTIFICATE. 11 AS SHOWN ON DRAFT PLAN. 12 SEE LAND USE SCHEDULE. 13 SEE DRAFT PLAN. 14 AS SHOWN ON DRAFT PLAN. 15 AS SHOWN ON DRAFT PLAN. 16 MANIPAL WATER AND SANITARY SEWER 17 BELLEVILLE LAND DRAINAGE 18 BELLEVILLE LAND DRAINAGE 19 BELLEVILLE LAND DRAINAGE 20 BELLEVILLE LAND DRAINAGE 21 BELLEVILLE LAND DRAINAGE 22 BELLEVILLE LAND DRAINAGE 23 BELLEVILLE LAND DRAINAGE 24 BELLEVILLE LAND DRAINAGE 25 BELLEVILLE LAND DRAINAGE 26 BELLEVILLE LAND DRAINAGE 27 BELLEVILLE LAND DRAINAGE 28 BELLEVILLE LAND DRAINAGE 29 BELLEVILLE LAND DRAINAGE 30 BELLEVILLE LAND DRAINAGE 31 BELLEVILLE LAND DRAINAGE 32 BELLEVILLE LAND DRAINAGE 33 BELLEVILLE LAND DRAINAGE 34 BELLEVILLE LAND DRAINAGE 35 BELLEVILLE LAND DRAINAGE 36 BELLEVILLE LAND DRAINAGE 37 BELLEVILLE LAND DRAINAGE 38 BELLEVILLE LAND DRAINAGE 39 BELLEVILLE LAND DRAINAGE 40 BELLEVILLE LAND DRAINAGE 41 BELLEVILLE LAND DRAINAGE 42 BELLEVILLE LAND DRAINAGE 43 BELLEVILLE LAND DRAINAGE 44 BELLEVILLE LAND DRAINAGE 45 BELLEVILLE LAND DRAINAGE 46 BELLEVILLE LAND DRAINAGE 47 BELLEVILLE LAND DRAINAGE 48 BELLEVILLE LAND DRAINAGE 49 BELLEVILLE LAND DRAINAGE 50 BELLEVILLE LAND DRAINAGE 51 BELLEVILLE LAND DRAINAGE 52 BELLEVILLE LAND DRAINAGE 53 BELLEVILLE LAND DRAINAGE 54 BELLEVILLE LAND DRAINAGE 55 BELLEVILLE LAND DRAINAGE 56 BELLEVILLE LAND DRAINAGE 57 BELLEVILLE LAND DRAINAGE 58 BELLEVILLE LAND DRAINAGE 59 BELLEVILLE LAND DRAINAGE 60 BELLEVILLE LAND DRAINAGE 61 BELLEVILLE LAND DRAINAGE 62 BELLEVILLE LAND DRAINAGE 63 BELLEVILLE LAND DRAINAGE 64 BELLEVILLE LAND DRAINAGE 65 BELLEVILLE LAND DRAINAGE 66 BELLEVILLE LAND DRAINAGE 67 BELLEVILLE LAND DRAINAGE 68 BELLEVILLE LAND DRAINAGE 69 BELLEVILLE LAND DRAINAGE 70 BELLEVILLE LAND DRAINAGE 71 BELLEVILLE LAND DRAINAGE 72 BELLEVILLE LAND DRAINAGE 73 BELLEVILLE LAND DRAINAGE 74 BELLEVILLE LAND DRAINAGE 75 BELLEVILLE LAND DRAINAGE 76 BELLEVILLE LAND DRAINAGE 77 BELLEVILLE LAND DRAINAGE 78 BELLEVILLE LAND DRAINAGE 79 BELLEVILLE LAND DRAINAGE 80 BELLEVILLE LAND DRAINAGE 81 BELLEVILLE LAND DRAINAGE 82 BELLEVILLE LAND DRAINAGE 83 BELLEVILLE LAND DRAINAGE 84 BELLEVILLE LAND DRAINAGE 85 BELLEVILLE LAND DRAINAGE 86 BELLEVILLE LAND DRAINAGE 87 BELLEVILLE LAND DRAINAGE 88 BELLEVILLE LAND DRAINAGE 89 BELLEVILLE LAND DRAINAGE 90 BELLEVILLE LAND DRAINAGE 91 BELLEVILLE LAND DRAINAGE 92 BELLEVILLE LAND DRAINAGE 93 BELLEVILLE LAND DRAINAGE 94 BELLEVILLE LAND DRAINAGE 95 BELLEVILLE LAND DRAINAGE 96 BELLEVILLE LAND DRAINAGE 97 BELLEVILLE LAND DRAINAGE 98 BELLEVILLE LAND DRAINAGE 99 BELLEVILLE LAND DRAINAGE 100 BELLEVILLE LAND DRAINAGE 	LAND USE	AREA(m ²)	AREA(L)	UNITS	BLOCK 1-10 - SEMI-DETACHED DWELLINGS	3851.7	93.3	7	BLOCK 11 - COMMON ELEMENT PROPOSED DRIVEWAY	704.1	82.7	-	SITE TOTAL	4555.8	100.08	10	<p>SURVEYORS CERTIFICATE I CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ARE CORRECTLY SHOWN.</p> <p>DATE: _____ DATE: _____ KATHY WATSON: _____ DATE: _____ DEBRA LAND SURVEYOR: _____ DATE: _____ WATSON LAND SURVEYORS LTD. 220 CHURCH STREET - BELLEVILLE, ONTARIO K8J 3K2 (905)</p> <div style="display: flex; justify-content: space-around;"> </div> <p>PLAN NO. 637-0P</p>
LAND USE	AREA(m ²)	AREA(L)	UNITS																
BLOCK 1-10 - SEMI-DETACHED DWELLINGS	3851.7	93.3	7																
BLOCK 11 - COMMON ELEMENT PROPOSED DRIVEWAY	704.1	82.7	-																
SITE TOTAL	4555.8	100.08	10																

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
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1. That this approval applies to the Draft Plan of Subdivision, Drawing: 637-DP prepared by RFA Planning Consultant Inc., revised to May 16, 2019, to show a total of:
 - Ten blocks for the construction of a total of five semi-detached dwellings [Blocks 1 to 10 inclusive];
 - One (1) block for a common elements condominium laneway and necessary infrastructure to service the development [Block 11];
2. That prior to final approval of the plan, the Owner shall deed to the City a road widening, to widen the right-of-way of Farnham Road to 26.0 metres, to the satisfaction of the City of Belleville.
3. That prior to final approval of the plan, the Owner agrees in writing in the subdivision agreement to design and construct a 1.5 metre wide concrete sidewalk across the Farnham Road frontage of the subject lands.
4. 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 common elements condominium laneway.
5. 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, Hydro One, etc.) and the cost thereof shall be paid by the Owner.
6. That the subdivision agreement between the Owner and the City of Belleville, and all agreements of purchase and sale and lease, provide notice to the property owners of each Block or Parcel in the Plan, as

may be applicable:

- a) "**Warning** (Blocks 1 to 8): The City of Belleville wishes to protect a 30.0 metre right of way for the possible future reconstruction of Farnham Road to 4 lanes. If the City implements this project, the Owner acknowledges and agrees that 2.0 metres of their front lawn **will be** transferred to the Condominium Corporation on which to re-locate the shared laneway."
- b) "No owner of any Lot or Block shall alter or interfere with the grading and drainage levels and patterns as approved by the Municipality with respect to the said lots or blocks and, without limiting the generality of the foregoing, no owner of any part of any lot shall after, fill, fence, stop up or allow to become clogged or fall into a state of disrepair, any rear or side yard drainage depression or swale, catchbasin or other drainage channel, facility or installation, as such alteration or other action as stated above may cause a failure of the drainage system in the area which will result in civil liability. Purchasers of Lots or Blocks will agree to indemnify and save the Municipality completely harmless from all actions, causes of action, suits, claims and demands whatsoever that may arise directly or indirectly, by reason of such alteration or other action as stated above.

No owner shall be entitled to connect roof leaders to the foundation drain collector or to the weeping tile. Roof leaders shall be required to discharge onto the Lots or Blocks, with the use of concrete splash pads such that the side lot swales will drain the runoff to the road or rear lots."

- c) "All owners and tenants/future purchasers acknowledge and agree that snow removal and the ownership and maintenance of the private laneway shall remain the sole responsibility of the Condominium Corporation under the provisions of the *Condominium Act* and the City of Belleville will have no jurisdiction and further liabilities within the private laneway and driveways."
7. That the subdivision agreement between the Owner and the City of Belleville contain a provision wherein the Owner agrees to install continuous privacy fencing, to the satisfaction of the City of Belleville:
- a) along the full length of the eastern lot line of the subject lands;

and

- b) along the full length of the northern lot line of the subject lands.
8. That the subdivision agreement between the Owner and the City of Belleville, and all agreements of purchase and sale and lease, provide notice to the property owners of Blocks 1 to 10 inclusive that the fencing referred to in Condition 7 above is not to be removed or altered and further that each individual property owner shall have the sole responsibility for, and shall maintain this fence to the satisfaction of the City of Belleville.
 9. That any street lighting required for the subdivision be completed to the satisfaction of the City of Belleville.
 10. 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 for reports describing the following:
 - a. 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;
 - b. the intended means of conveying stormwater flows from the site and external areas that drain through the subject lands, including the location and design of water quality and quantity controls and facilities using stormwater management techniques outlined in provincial guidelines;
 - c. 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;
 - d. site grading plan, including pre-development and final scenarios;
 - e. requirements for the long-term maintenance of all proposed erosion and stormwater facilities and construction details relating to these conditions.
 11. 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:

- a) to cause to be carried out the works referred to in Condition 10;
 - b) to design and implement on-site erosion and sediment control, in order to meet the requirements of the City of Belleville;
 - c) 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.
12. That such easements as may be required for utility, telecommunication services, drainage or servicing purposes shall be conveyed to the appropriate authority.
 13. That prior to the final approval of the plan, Bell Canada, Union Gas, Cogeco Cable and Hydro One 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.
 14. 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.
 15. 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.
 16. That the Owner shall meet the following conditions of Bell Canada:
 - a) 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;

- b) 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).
17. That prior to final approval of the plan, appropriate zoning shall be in effect for all the lands in the proposed subdivision.
18. 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.
19. 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.
20. 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.
21. That prior to final approval, the City of Belleville is advised by letter by Canada Post how Condition No. 15 has been satisfied.
22. That prior to final approval, the City of Belleville is advised by letter by Bell how Condition No. 16 has been satisfied.

23. That prior to final approval, the City of Belleville is advised by letter by Union Gas, Cogeco Cable and Hydro One how Condition No. 13 has been satisfied.
24. That the Owner shall agree in the subdivision agreement to ensure planting of a tree in the rear yard of each dwelling on each block of land, with a minimum tree caliper of 60 mm measured 150 mm above the root ball, such type and specifics to be determined to the satisfaction of the City of Belleville.

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. Bell Canada
2. Canada Post

c) 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.

d) 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.

e) 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.

f) 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

g) 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.

h) Lapsing

This draft plan approval expires on July 8, 2022 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.

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: "598-DP Condo" prepared by RFA Planning Consultant Inc., revised to May 16, 2019 that shows:
 - A common element block to contain a private roadway and landscaped open space ["Common Element"].
1. 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.
2. 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.
3. 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.
4. 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 on the site, and that any designated refuse area will be serviced by a private contractor;
- 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 parcel, 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 parcel;
3. all applicable Laws have not been complied with.

vi. Occupancy Requirements

1. The Owner hereby agrees that no structure or parcel 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 Farnham 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 parcel of tied land 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 parcel of tied land, 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 parcel of tied land.
 - c. Suitable access for vehicular traffic for the parcel of tied land 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, parcels 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, parcels 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. 1190, c. B.13, as amended, or in the opinion of the Chief Building Official for the Municipality, the structure is not habitable.
 - h. the driveways and parking areas serving the parcel or structure are not constructed to a standard which will facilitate vehicular traffic as may be required by the Municipality.
 - i. all applicable Laws have not been complied with.
- 6. That the following clauses have been included in all offers of purchase and sale and to the extent permissible under the *Condominium Act*, the disclosure statement and the Condominium Agreement which must be registered on title against all parcels of tied land and common elements in the condominium:

The Purchasers are advised that:

- a. all "Private Services" are under the private ownership and responsibility of the condominium corporation and comprise part of the common elements and that all required actions, work, costs and expenses with respect to the use, operation, maintenance, repair, replacement and alteration of the Private Services are the responsibility, liability and obligation of the condominium corporation in accordance with all required permits, authorizations or certificates of approval as may be required from time to time. The Purchaser acknowledges that the Corporation of the City of Belleville shall have no responsibility, liability or obligation whatsoever with respect to any other use, operation, maintenance, repair, replacement and alteration of the Private Services or the obtaining of such certificates of approval, authorizations or permits as may be required.

- b. their properties may be subject to any necessary and required easements, rights-of-way or blanket easements in favour of the condominium corporation or utility service providers or the Municipality as may be required for inspection, monitoring, repair or replacement of water supply, sanitary sewer systems, and related equipment or systems to accommodate for and allow the installation, placement, operation and maintenance by the condominium corporation of the above grade or below grade Private Services which form part of the common elements or the placement, operation and maintenance of utility services, 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 owners of the Parcels of Tied Land.
 - 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 parcel 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 necessary Agreement(s).

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.

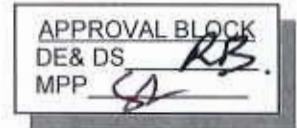
6. Development Charges

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 July 8, 2022 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

Thomas Deming, Principal Planner
Engineering and Development Services Department
Report No. PP-2019-47
July 2, 2019

- To:** Belleville Planning Advisory Committee
- Subject:** Staff Recommendation Report
For Proposed Zoning By-law Amendment (By-Law 3014)
1437 & 1455 Mudcat Road
City of Belleville
APPLICANT: Clint Hamilton
OWNER: Robert Rollins
- File:** B-77-1085

Recommendation:

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

“THAT Zoning By-Law Number 3014, as amended, be amended by rezoning the severed parcel, described as 1455 Mudcat Road, from Prime Agriculture (PA) Zone and Rural (RU) Zone to Prime Agriculture (PA-56) Zone with special provisions to prohibit future severances; and the retained parcel, described as 1437 Mudcat Road, from Prime Agricultural (PA) Zone to Rural Residential (RR) Zone as a condition of consent for application B8/19.”

Strategic Plan Alignment

The City of Belleville’s Strategic Plan identifies nine strategic themes including Residential Development. This proposal aligns with the City’s Residential Development theme by accommodating for appropriate residential growth within the City.

Background:

On April 25, 2019, the City of Belleville’s Committee of Adjustment reached a decision on Consent Application B8/19 to give consent to the separation and conveyance of part of the property municipally known as 1427 Mudcat Road, from the surplus dwelling located at 1455 Mudcat Road and to sever the subject lands to create a new lot. A condition of the consent application

is that both the severed and retained parcels are to be rezoned to appropriate zones that prohibits any future severances and reflects the use of the land.

An initial public meeting was held in accordance with the requirements of the Planning Act on June 3, 2019. The purpose of this meeting was for Committee Members to formally hear and receive public comments.

The Planning Advisory Committee reviewed Report No. PP-2019-43 (Attachment #1) and accepted it as information. Now that input from the public, commenting agencies, and municipal departments had been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department, Staff has prepared a recommendation report.

The subject land is identified on Attachment #2 – Location Map.

Site Details for the subject land:

Site Review	Description
Site Location	1437 & 1455 Mudcat Road; located on the north side of Mudcat Road, west of Country Charm Drive and east of Phillipston Road
Site Size	~46 Hectares
Present Use	Agriculture with two dwellings
Proposed Use	Severed Parcel: Agriculture & dwelling Retained Parcel: Single detached dwelling
Belleville Official Plan Designation	Agricultural
Present Zone Category	Prime Agriculture (PA) Zone & Rural (RU) Zone
Proposed Zone Category	Prime Agriculture (PA-56) & Rural Residential (RR) Zone
Land uses to the north	Agriculture
Land uses to the east	Agriculture
Land uses to the south	Agriculture
Land uses to the west	Agriculture

In support of the application, the following was submitted:

- A lot survey (Attachment #3)

This document has been available for public review at the Planning Department.

Proposal

The Applicant proposes to rezone the subject lands from Prime Agriculture (PA) Zone and Rural (RU) Zone to Rural Residential (RR) Zone for the small

retained lot and Prime Agriculture (PA-56) Zone with special provisions to prohibit future severances on the larger severed lot as a condition of consent for application B8/19.

Provincial Policy Statement

Municipalities are required to ensure all decisions related to land use planning matters shall be consistent with the Provincial Policy Statement.

It is Staff's opinion that the proposal is consistent with the Provincial Policy Statement because it protects the lands which are identified as an agricultural area while permitting lot creation of a surplus dwelling.

Official Plan

Planning Staff reviewed the policies within the Official Plan to make this recommendation. The land is designated "Agricultural" in the City's Official Plan (Attachment #4 – Official Plan Designation Map).

It is Staff's opinion that the proposal conforms with the Official Plan as the Plan states that consent may be permitted to enable disposal of a surplus dwelling on lands designated Agricultural Land Use provided that inappropriate fragmentation of agricultural land is not promoted; and the Provincial minimum distance separation formulae has been met.

Furthermore, the Official Plan states only residential development that has minimal impact on natural environmental features and the rural character should be permitted.

Zoning By-law

Currently, the subject lands are primarily zoned Prime Agriculture (PA) Zone and a portion are zoned Rural (RU) Zone. Refer to Attachment #2 for zoning information.

The proposed zoning is Rural Residential (RR) Zone for the retained parcel which permits a single detached dwelling which already exists; and Prime Agriculture (PA-56) Zone with special provisions for the remainder of the subject lands. The special provisions will prohibit future severances.

Public Meeting and Comments

A written notice and location map was mailed by first class mail to all registered owners of land within 120 metres of the subject property. The notice provided information that a public meeting was scheduled for June 3, 2019.

Similarly, a sign was placed on the subject lands notifying the general public that a public meeting was scheduled for June 3, 2019.

On May 28, 2019 a second written notice was issued updating some information on the original letter.

At the public meeting, no one spoke regarding this application. The draft minutes from the meeting are included as Attachment #5.

The City did receive correspondence from a resident via email regarding the application. Their email stated they had no issue with the rezoning but were concerned about future subdivision of the land. The Manager of Policy Planning responded to the resident.

At the time of writing this report, no other correspondence from the public has been received by the City regarding this application.

Staff and Agency Comments

External Agency Circulation

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Hastings and Prince Edward Health Unit, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Elexicon Energy, Hydro One, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines, MPAC, the Health Unit and the Ministry of Transportation.

Elexicon Energy and the Ministry of Transportation have provided correspondence and they have no concerns.

At the time of writing this report, 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 Development Engineer, the General Manager of Transportation & Operations Department, General Manager of Environmental Services, the Director of Recreation, Culture and Community Services, the Manager of Parks & Open Spaces, the Chief Administrative Officer, the Manager of Economic & Strategic Initiatives, the City Clerk, and the Chief Building Official.

The Development Engineer, Parks and Open Spaces, Recreation, Culture and Community Services, Belleville Fire Department, and Transportation &

Operations Department, Environmental Services have provided correspondence and they have no concerns.

At the time of writing this report, no other comments have been received regarding this application.

Considerations:

Public

Circulation to the public complied with the requirements of the Planning Act, R.S.O. 1990.

Financial

The fees of the application have been received by the City.

Impact on and input from other Departments/Sources

Circulation of this application to other departments/agencies has occurred.

Planning Analysis:

This application is consistent with the Provincial Policy Statement, and the City of Belleville Official Plan.

The proposed severed lot has been approved by the Committee of Adjustment pending a rezoning of the retained parcel to Rural Residential (RR) Zone and the severed parcel to Prime Agriculture (PA-56) Zone to prohibit future severances.

It is Staff's opinion that this application represents good planning as it will recognize an existing surplus residential dwelling and protect valuable agricultural land.

Conclusion:

Staff has considered all relative policy and comments provided to the Engineering and Development Services Department in analysis of the application received to amend the City of Belleville Zoning By-law 3014. Staff recommends that the Planning Advisory Committee recommend to Council that the proposal be approved to rezone the subject lands from Prime Agriculture (PA) Zone and Rural (RU) Zone to Rural Residential (RR) Zone for the small retained lot and Prime Agriculture (PA-56) Zone with special provisions to prohibit future severances on the larger severed lot as a condition of consent for application B8/19.

Respectfully submitted



Thomas Deming, CPT
Principal Planner, Policy Planning
Engineering and Development Services Department

Attachments

- Attachment #1 – Report PP-2019-43
- Attachment #2 – Location Map
- Attachment #3 – Supplementary Information including a survey plan
- Attachment #4 – Official Plan Designation Map
- Attachment #5 – Planning Advisory Committee Draft Minutes from June 3, 2019 Meeting



APPROVAL BLOCK
DE& DS _____
MPP _____

CITY OF BELLEVILLE

Thomas Deming, Policy Planner
Engineering and Development Services Department
Report No. PP-2019-43
June 3, 2019

To: Belleville Planning Advisory Committee

Subject: Notice of Complete Application and Introductory Public Meeting for Application for Proposed Amendment to Zoning By-Law Number 3014, As Amended – 1437 & 1455 Mudcat Road, former Township of Thurlow, now City of Belleville, County of Hastings
OWNER: Robert Rollins
APPLICANT: Clint Hamilton

File: B-77-1085

Recommendation:

“That Report No. PP-2019-43 dated June 3, 2019 regarding Notice of Complete Application and Introductory Public Meeting, Application for Proposed Amendment to Zoning By-Law Number 3014, As Amended – 1437 & 1455 Mudcat Road, former Township of Thurlow, now City of Belleville, County of Hastings be received as information, and;

That Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department.”

Background:

The application for the proposed amendment to Zoning By-Law Number 3014 was received by the City of Belleville on May 10, 2019.

The application to rezone is a condition of consent for application B8/19. The retained parcel containing the surplus dwelling would be rezoned Rural Residential (RR) Zone and the severed parcel would be rezoned Prime Agriculture (PA-56) Zone with special provisions to prohibit future severances.

The initial public meeting is held in accordance with the requirements of the Planning Act. The purpose of this meeting is for Committee Members

formally hear and receive public comments. The intent of this statutory public planning meeting is to receive public feedback and incorporate it into a recommendation report from Staff.

The subject land is identified on the attached Location Map (Attachment #1). Site Details for the subject land:

Site Review	Description
Site Location	1437 & 1455 Mudcat Road; located on the north side of Mudcat Road, west of Country Charm Drive and east of Phillipston Road
Site Size	~46 Hectares
Present Use(s)	Agriculture with two dwellings
Proposed Use	Severed Parcel: Agriculture & dwelling Retained Parcel: Single detached dwelling
Belleville Official Plan Designation	Agricultural
Present Zone Category	Prime Agriculture (PA) Zone & Rural (RU) Zone
Proposed Zone Category	Prime Agriculture (PA-56) & Rural Residential (RR) Zone
Land uses to the north	Agriculture
Land uses to the east	Agriculture
Land uses to the south	Agriculture
Land uses to the west	Agriculture

In support of the application, the following was submitted:

- Lot survey.

This document has been available for public review at the Planning Department and is included with this report as Attachment #2.

Proposal

The Applicant proposes to rezone the subject lands from Prime Agriculture (PA) Zone and Rural (RU) Zone to Rural Residential (RR) Zone for the small retained lot and Prime Agriculture (PA-56) Zone with special provisions to prohibit future severances on the larger severed lot as a condition of consent for application B8/19.

Provincial Policy Statement

Municipalities are required to ensure all decisions related to land use planning matters shall be consistent with the Provincial Policy Statement.

Planning Staff will consider the following policies in the PPS:

2.3.1 Prime agricultural areas shall be protected for long-term use for

agriculture.

- 2.3.3.1 In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses.

Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

- 2.3.3.2 In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.

- 2.3.4.1 Lot creation in prime agricultural areas is discouraged and may only be permitted for:

- a) agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
- b) agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
- c) a residence surplus to a farming operation as a result of farm consolidation, provided that:
 1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
 2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and
- d) infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-

way.

2.3.4.2 Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons.

2.3.4.3 The creation of new residential lots in prime agricultural areas shall not be permitted, except in accordance with policy 2.3.4.1(c).

Official Plan

The current Official Plan was adopted by City Council on June 18, 2001 and approved by the Ministry of Municipal Affairs and Housing on January 7, 2002. Since 2002, a significant number of new and updated policies and legislation have occurred at the provincial level. The City is currently undertaking a Municipal Comprehensive Review and update to the policies of the Official Plan to ensure they comply with current provincial policies and legislation. The City will have to comply with the province's new legislation, regulations, and policies when updating the Official Plan.

Planning Staff will use the policies within the Official Plan to make a recommendation. The land is designated "Agricultural" in the City's Official Plan (See Attachment #3 – Official Plan Designation Map).

Policies that will be considered include:

- A consent to enable disposal of a surplus dwelling created through the consolidation of lands may be permitted, as would a technical severance to correct a lot boundary, provided that:
 - inappropriate fragmentation of agricultural land is not promoted; and
 - the Provincial minimum distance separation formulae has been met.

Zoning By-law

The subject lands are currently zoned Prime Agriculture (PA) Zone and Rural (RU) Zone under Zoning By-Law 3014. The applicant is proposing to rezone the severed parcel to Prime Agriculture (PA-56) Zone with special provisions to prohibit future severances and the retained portion to Rural Residential (RR) Zone.

Public Comments

On May 13, 2019 a written notice and location map was mailed by first class mail to all registered owners of land within 120 metres of the subject property. The notice provided information that a public meeting was

scheduled for June 3, 2019.

Similarly, a sign was placed on the subject lands notifying the general public that a public meeting was scheduled for May 3, 2019.

Both the notice and sign state that additional information is available in the City's planning files for review by any member of the public during business hours.

At the time of writing this report, no correspondence from the public has been received by the City regarding this application.

Staff and Agency Comments

External Agency Circulation

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Hastings and Prince Edward Health Unit, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Elexicon Energy, Hydro One, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines, MPAC, Quinte Conservation and the Health Unit.

Elexicon Energy have provided correspondence and they have no concerns.

At the time of writing this report, 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 Development Engineer, the General Manager of Transportation & Operations Department, General Manager of Environmental Services, the Director of Recreation, Culture and Community Services, the Manager of Parks & Open Spaces, the Chief Administrative Officer, the Manager of Economic & Strategic Initiatives, the City Clerk, and the Chief Building Official.

The Development Engineer, Belleville Fire Department, Transportation & Operations Department, Environmental Services, and Parks & Open Spaces have provided correspondence and they have no concerns.

At the time of writing this report, no other comments have been received regarding this application.

Considerations:

Public

Circulation to the public complies with the requirements of the Planning Act, R.S.O. 1990.

Financial

The fees of the application have been received by the City.

Impact on and input from other Departments/Sources

Circulation of this application to other departments/agencies has occurred.

Strategic Plan Alignment

The City of Belleville's Strategic Plan identifies nine strategic themes including Residential Development and Environment.

Strategic objectives of the Residential Development theme include:

- Plan for residential growth to meet our needs for 20 years and designate sufficient land in our planning documents to accommodate residential growth for 10 years; and
- Provide for a variety of housing forms to reflect our changing demographics and need for affordability.

Strategic objectives of the Environment theme include:

- Preserve prime agricultural lands and support the development of viable agricultural activities.

Conclusion:

Comments received at this public meeting, as well as subsequent written comments will be considered by the Engineering and Development Services Department in analysis of the application received to amend the City of Belleville Zoning By-law 3014. A recommendation report will be brought forward upon receipt of all agency and public comments.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Tom D', with a long horizontal stroke extending to the right.

Thomas Deming, CPT
Planner, Policy Planning
Engineering and Development Services Department




Attachments

- Attachment #1 – Location Map
- Attachment #2 – Survey Plan
- Attachment #3 - Official Plan Designation Map

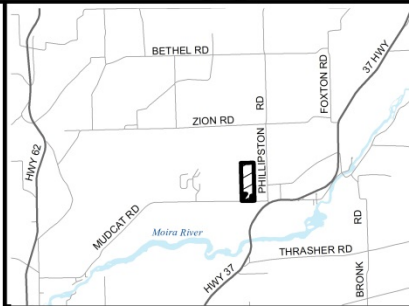


PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 1455 MUDCAT RD

-  - PROPOSED ZONING CHANGE FROM PA (PRIME AGRICULTURE) TO RR (RURAL RESIDENTIAL)
-  - PROPOSED ZONING CHANGE FROM PA (PRIME AGRICULTURE) TO PA WITH SPECIAL PROVISIONS
-  - PROPOSED ZONING CHANGE FROM RU (RURAL) TO PA (PRIME AGRICULTURE) WITH SPECIAL PROVISIONS

B-77-1085



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT

SKETCH
 PART OF LOT 18
 CONCESSION 7
 TOWNSHIP OF THURLOW
 NOW IN THE CITY OF BELLEVILLE
 COUNTY OF HASTINGS
 METRIC SCALE 1 : 4500

KEITH WATSON O.L.S.



LOT 17

LOT 18

CONCESSION

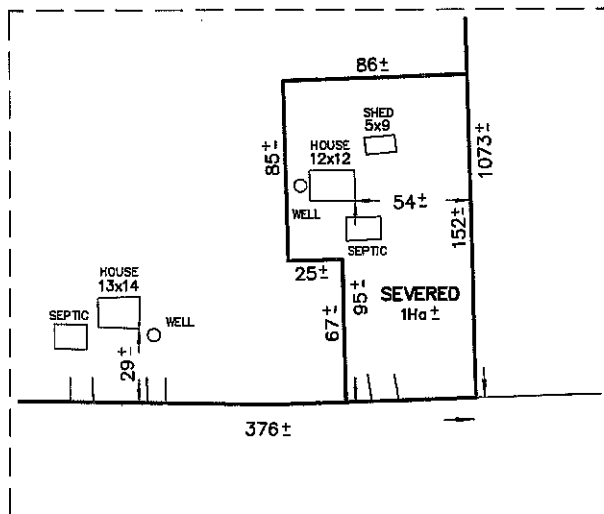
7

1158±

1073±

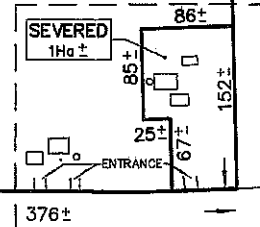
ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 18 AND 19

DETAIL
NOT TO SCALE



RETAINED
46Ha±

SEE DETAIL



MUDCAT ROAD

ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 6 AND 7

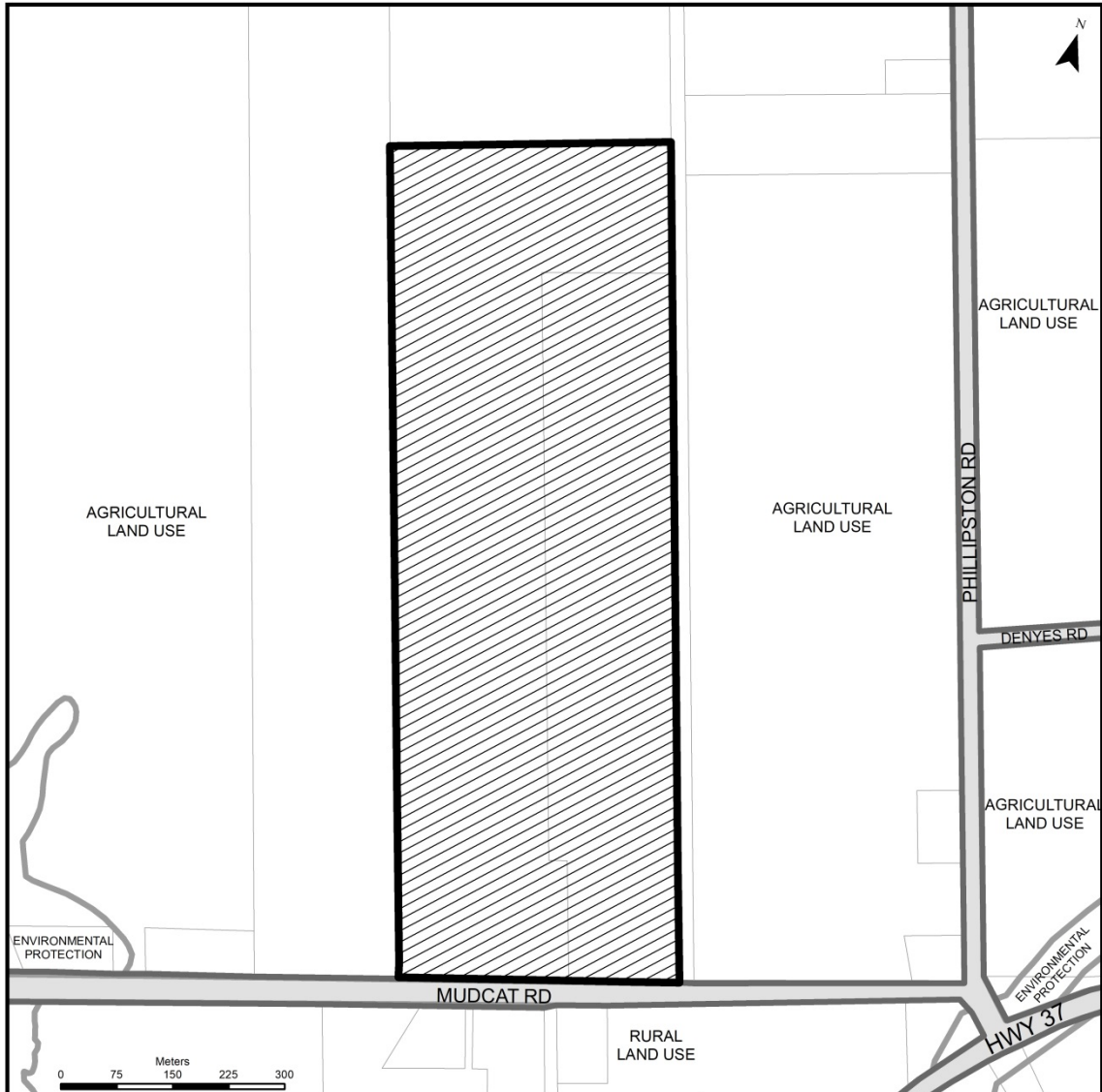
218 CHURCH STREET
BELLEVILLE, ONTARIO

WATSON
 LAND SURVEYORS Ltd.

K8N - 3C3
 (613) 982 - 9521
 Page 332

MARCH 21, 2109

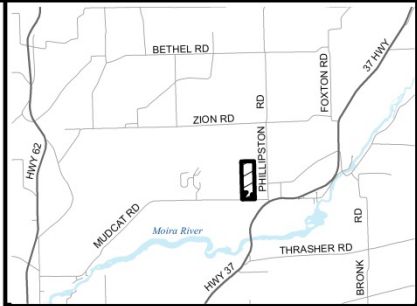
PROJECT N# 11209-H-19



LOCATION MAP

LOCATION: 1455 MUDCAT RD

 - SUBJECT LANDS



CITY OF BELLEVILLE
 ENGINEERING & DEVELOPMENT
 SERVICES DEPARTMENT

B-77-1085

“The property is located on the east side of Wilkie Street, south of Dundas Street East, which is municipally known as 9 & 13 Wilkie Street. The property has approximately 21.8 metres of frontage on Wilkie Street. The Applicant requests a rezoning of the subject lands from Open Space (O2-1) Zone to Open Space (O2-4) Zone with special provisions to recognize the existing dwelling units on the properties. In the Official Plan, the subject land is designated as ‘Open Space’.”

Mark Glassford, owner appeared on behalf of the application.

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

Moved by Councillor Sandison
Seconded by Councillor Culhane

THAT the “Mark Glassford” Planning Application be referred to the Regular Planning Meeting for further consideration.

-CARRIED-

3.4 **NOTICE OF COMPLETE APPLICATION AND INTRODUCTORY PUBLIC MEETING FOR APPLICATION FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED – 1437 & 1455 MUDCAT ROAD, FORMER TOWNSHIP OF THURLOW, NOW CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-1085
APPLICANT: CLINT HAMILTON
OWNER: ROBERT ROLLINS**

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

“The property located north of Mudcat Road, east of Country Charm Drive, and west of Phillipston Road, which is municipally known as 1437 & 1455 Mudcat Road. The property has approximately 376 metres of frontage on Mudcat Road. The Applicant requests a rezoning of the subject lands from Prime Agriculture (PA) Zone and Rural (RU) Zone to Rural Residential (RR) Zone and to Prime Agriculture (PA-56) Zone with special provisions to prohibit future severances as a condition of Consent for Application B8/19. In the Official Plan, the subject land is designated as ‘Agricultural’.”

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

Moved by Councillor Kelly
Seconded by Councillor Williams

THAT the "Clint Hamilton" Planning Application be referred to the Regular Planning Meeting for further consideration.

-CARRIED-

4. **ADJOURNMENT**

Moved by Councillor Kelly
Seconded by Councillor Culhane

THAT the Public Meeting be adjourned.

-CARRIED-

**6.2 NOTICE OF COMPLETE APPLICATION AND INTRODUCTORY PUBLIC MEETING FOR APPLICATION FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 9-11 & 13 WILKIE STREET, CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-1084
OWNER/APPLICANT: MARK GLASSFORD**

The Planning Advisory Committee considered the “Mark Glassford” Planning Application in light of the Public Meeting.

Moved by Councillor Sandison
Seconded by Councillor Kelly

THAT Report No. PP-2019-42 dated June 3, 2019 regarding Notice of Complete Application and Introductory Public Meeting for Application for Proposed Amendment to Zoning By-law Number 10245, as amended – 9-11 & 13 Wilkie Street, City of Belleville, County of Hastings be received as information; and

THAT Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department.

-CARRIED-

**6.3 NOTICE OF COMPLETE APPLICATION AND INTRODUCTORY PUBLIC MEETING FOR APPLICATION FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED – 1437 & 1455 MUDCAT ROAD, FORMER TOWNSHIP OF THURLOW, NOW CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-1085
APPLICANT: CLINT HAMILTON
OWNER: ROBERT ROLLINS**

The Planning Advisory Committee considered the “Clint Hamilton” Planning Application in light of the Public Meeting.

Moved by Councillor Sandison
Seconded by John Baltutis

THAT Report No. PP-2019-43 dated June 3, 2019 regarding Notice of Complete Application and Introductory Public Meeting, Application for Proposed Amendment to Zoning By-law Number 3014, as amended – 1437 and 1455 Mudcat Road, Former Township of Thurlow, now City of Belleville, County of Hastings be received as information; and,

THAT Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department.

-CARRIED-

7. REPORTS

7.1 **RECOMMENDATION REPORT FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED, 4807 OLD HIGHWAY 2, CITY OF BELLEVILLE, COUNTY OF HASTINGS** **FILE NUMBER: B-77-1080** **APPLICANT/OWNER: RAY & JEAN O'NEILL**

Moved by David Joyce
Seconded by Paul Jennings

THAT the Planning Advisory Committee recommends the following to City Council:

THAT Application B-77-1080 to amend Zoning By-law Number 3014, as amended, for land described as 4807 Old Highway 2, Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 3014, as amended, be amended by rezoning the severed parcel from Prime Agriculture (PA) Zone to Rural Residential (RR) Zone and the retained parcel from Prime Agriculture (PA) Zone to Rural (RU) Zone to fulfil a condition of consent for application B9/19.

-CARRIED-

**Engineering and Development Services Department (Policy Planning Section)
Official Plan and Zoning By-Law Amendment Monitoring Report
(Shaded Area Indicates that Application is Complete)**

FILE NO.	APPLICANT/OWNER/AGENT	PROPOSAL	REPORT NO.	BY-LAW NO.	DATE RECD	CIRCULATION	PAC DATE	APPROVAL (Y/N)	COUNCIL DATE	APPROVAL (Y/N)	NOTICE ISSUED	LAST DAY OF APPEAL	CLERK CERT. #	OF DAYS
B-77-1021	Reginald & Janette Barkema/ G.D. Jewell Engineering Inc. c/o Steve Harvey	Trinity Court - Part Lot 2, Concession 3, Formerly Township of Thurlow Zoning By-Law amendment to permit a range of single detached residential lots and townhomes	PP-17-26 AP5-18-07		Mar 21/17	Apr 11/17	May 1/17 Mar 5/18				Deferred at PAC, Draft Plan of Subdivision approved - Zoning By-law to be addressed later			
B-77-1040	Rosebush Properties Inc./ Bel-Con Design-Builders Ltd. c/o Steve Harvey	330 College Street East Zoning By-Law amendment to permit a convenience store and associated gas bar in addition to the permitted uses of the zone	PP-18-02		Jan 10/18	Feb 13/18	Mar 15/18				Deferred at PAC, awaiting revised Site Plan based on CN comments			
B-77-1058	Paramathas Joseph Agent: Chris Nava	55 South Church Street Zoning By-law amendment to rezone from (R2-1) to (R3) to permit a semi-detached dwelling	PP-2018-36		Aug 21/18	Sept 6/18	Oct 1/18	N	Oct 9/18	DEINED	Oct 12/18	Nov 9/18		APPEALED Hearing - May 10/19 * Motion Adjourned
B-77-1059	Panagiotis Karagiannis Agent: Chris Nava	59 South Church Street Zoning By-law amendment to rezone from (R2-1) to (R3) to permit a semi-detached dwelling	PP-2018-37		Aug 21/18	Sep 6/18	Oct 1/18	N	Oct 9/18	DEINED	Oct 12/18	Nov 9/18		APPEALED Hearing - May 10/19 * Motion Adjourned
B-77-1069	Agent/Applicant/Owner: City of Belleville "CANNABIS"	Belleville, Thurlow, Sidney Zoning By-law amendment to 10245, 3014 & 2076-80 to update definitions relating to cannabis	PP-2019-07 PP-2019-22	2019-56 2019-57 2019-58	Jan 22/19	Feb 13/19	Mar 4/19 Apr 1/19	Y	Apr 8/19	Y	Apr 10/19	Apr 30/19	May 1/19	99 Days
B-77-1072	Owner/Applicant: Jehland Properties Agent: Fortenn Consultants Inc.	Lots 35 & 36, Concession 2 (Bell Blvd) Zoning By-law amendment to rezone lands to allow additional uses including retail	PP-2019-11 PP-2019-26	2019-59	Jan 22/19	Feb 13/19	Mar 4/19 Apr 1/19	Y	Apr 8/19	Y	Apr 10/19	Apr 30/19	May 1/19	99 Days
B-77-1073	Agent/Applicant: Alexander Wilson Architect Owner: Integrated Real Estate Investment Platform Inc.	2 Dundas Street Zoning By-law amendment to rezone lands to permit mixed use commercial & Residential development with reduced parking requirements	PP-2019-10 PP-2019-23	2019-60	Jan 25/19	Feb 13/19	Mar 4/19 Apr 1/19	Y	Apr 8/19	Y	Apr 10/19	Apr 30/19	May 1/19	96 Days
B-77-1074	Owner/Applicant: Covington Crescent J/V Agent: Ainley Group	Part of Lots 1 & 2, Concession 3 (Covington Crescent) Zoning By-law amendment to rezone lands to permit 40 townhouse units and remove walk path to merge two adjacent residential lots	PP-2019-35 PP-2019-31	2019-92	Jan 29/19	Feb 13/19	Mar 4/19 Apr 1/19	N	Apr 8/19 Apr 30/19	***TABLED** Y By-law Approved May 13 Council	May 15/19	Jun 4/19		APPEALED
B-77-1075	Owner/Applicant: Strikos Homes Agent: vanMEER limited	20 to 80 Wims Way Zoning By-law amendment to rezone lands to permit single detached dwellings and to permit townhouse units with reduced setback requirements and increased lot coverage	PP-2019-17 PP-2019-24	2019-61	Jan 30/19	Feb 13/19	Mar 4/19 Apr 1/19	Y	Apr 8/19	Y	Apr 10/19	Apr 30/19	May 1/19	91 Days

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B-77-1076	Owner/Applicant: 2589989 Ont. Inc. Agents: RFA Planning Consultants	250 Sidney Street Zoning By-law amendment to Zoning By-law 10245 to add Commercial Processing Facility as a permitted use to the Restricted Industrial Zone	PP-2019-15 PP-2019-49		Jan 30/19	Feb 13/19	Mar 4/19 Jul 2/19						
B-77-1077	Agent/Applicant/Owner: City of Belleville "PUBLIC USES"	Belleville, Thurlow, Sidney Zoning By-law amendment to 10245, 3014 & 2076-80 to define public uses and to add general provisions in relation to those uses	PP-2019-08 PP-2019-23	2019-62 2019-63 2019-64	Jan 22/19	Feb 13/19	Mar 4/19 Apr 1/19	Y	Apr 8/19	Y	Apr 10/19	Apr 30/19	May 1/19 99 Days
B-77-1078	Owner/Applicant: Schnell Investment Agent: Siegbert Schnell	150 St. Paul Street Zoning By-law amendment to Zoning By-law 10245 to permit mixed use (commercial/ residential) in an existing building	PP-2019-27 PP-2019-37	2019-93	Feb 7/19	Mar 6/19	Apr 1/19 May 6/19	Y	May 13/19	Y	May 15/19	Jun 4/19	Jun 5/19 117 Days
B-77-1079	Agent/Applicant: RFA Planning Owner: Heritage Park J/V	427 Farnham Road Zoning By-law amendment to Zoning By-law 3014 to permit 13 townhouse units with reduced setbacks and increased lot coverage	PP-2019-28 PP-2019-45 PP-2019-46		Feb 27/19	Mar 6/19 May 10/19	Apr 1/19 Jun 3/19 Jul 2/19				Applicant to review public concerns and re-submit Public Meeting for Revised Application		
B-77-1080	Agent/Applicant/Owner: Ray & Jean O'Neill	4807 Old Highway 2 Zoning By-law amendment to Zoning By-law 3014 to rezone lands from Prime Agriculture to Rural Residential and Rural as a condition of a consent	PP-2019-53 PP-2019-40	2019-112	Mar 27/19	Apr 17/19	May 6/19 Jun 3/19	Y	Jun 10/19	Y	Jun 12/19	Jul 2/19	
B-77-1081	Agent/Applicant/Owner: City of Belleville "AGRI-TOURISM"	Belleville, Thurlow, Sidney Zoning By-law amendment to 10245, 3014 & 2076-80 to define agri-tourism	PP-2019-34		Mar 27/19	Apr 17/19	May 6/19 Jun 3/19				Gathering more information		
B-77-1082	Applicant: Tom Reid Owner: Tom Reid & Eleanor McEvoy Agent: Eleanor McEvoy	288 Pine Hill Crescent Zoning By-law amendment to Zoning By-law 3014 to rezone lands from Prime Agriculture to Rural Residential as a condition of consent	PP-2019-35 PP-2019-41	2019-113	Apr 1/19	Apr 17/19	May 6/19 Jun 3/19	Y	Jun 10/19	Y	Jun 12/19	Jul 2/19	
B-77-1083	Owner/Applicant: Meyers Creek Meyers Creek Development Group Agent: Joe Shunock	225 South Church Street Zoning By-law amendment to Zoning By-law 10245 to rezone lands to permit a methadone dispensary	PP-2019-36 PP-2019-38	2019-114	Apr 2/19	Apr 17/19	May 6/19 Jun 3/19	Y	Jun 10/19	Y	Jun 12/19	Jul 2/19	
B-77-1084	Owner/Applicant: Mark Glasford	9 & 13 Wilkie Street Zoning By-law amendment to Zoning By-law 10245 to rezone lands to recognize the existing dwelling units on the property	PP-2019-42		May 1/19	May 15/19	Jun 3/19				Staff Still Reviewing Comments		

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B-77-1085	Applicant/Agent: Clint Hamilton Owner: Robert Rollins	1437 & 1455 Mudcat Road Zoning By-law amendment to lands from Prime Agriculture (PA) and Rural (RU) to Rural Residential (RR) and Prime Agriculture with special provisions to prohibit future severances as a condition of Consent	PP-2019-43 PP-2019-47		May 10/19	May 13/19	Jun 3/19 Jul 2/19							