

# BELLEVILLE PLANNING ADVISORY COMMITTEE

## AGENDA

SEPTEMBER 4, 2012

5:30 P.M.

COUNCIL CHAMBER

Starting  
Page No.

### CITY COUNCIL PLANNING COMMITTEE MEETING

1. ATTENDANCE

Councillor Taso Christopher  
Councillor Pat Culhane  
Councillor Jackie Denyes

Councillor Tom Lafferty  
Councillor Jack Miller

2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

3. PUBLIC MEETING - THE PLANNING ACT

- 3.1 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED – PART OF LOT 3, CONCESSION 2, TOWNSHIP OF THURLOW, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS (NORTHWEST QUADRANT OF HIGHWAY #62 AND PROVINCIAL HIGHWAY #401)  
FILE NUMBER: B-77-923  
APPLICANT/OWNER: CLOVERBELL DEVELOPMENTS LTD. & 1255437 ONTARIO INC.  
AGENT: JOHN HALLORAN

- 3.2      **PROPOSED AMENDMENT TO ZONING BY-LAW  
NUMBER 2076-80, AS AMENDED – PART OF LOTS 32 TO  
36, CONCESSION 2, TOWNSHIP OF SIDNEY, NOW IN THE  
CITY OF BELLEVILLE, COUNTY OF HASTINGS (BELL  
BOULEVARD CORRIDOR)**  
**FILE NUMBER:            B-77-924**  
**APPLICANT/OWNER: JENLAND PROPERTIES LIMITED**  
**AGENT:                    AINLEY GROUP**
- 

Notice of Meeting and Map

3

**4.      ADJOURNMENT**

**BELLEVILLE PLANNING ADVISORY COMMITTEE**

**A G E N D A**

**SEPTEMBER 4, 2012**

**5:30 P.M.**

**COUNCIL CHAMBER**

Starting  
Page No.

**PLANNING ADVISORY COMMITTEE MEETING**

**1. ATTENDANCE**

Councillor Taso Christopher	Michael Graham
Councillor Pat Culhane	David Joyce
Councillor Jackie Denyes	Mike Letwin
Councillor Tom Lafferty	Ross Rae
Councillor Jack Miller	

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

**3. CONFIRMATION OF MINUTES**

3.1 Minutes of the City Council Planning Committee Meeting and Planning Advisory Committee Meeting held on August 7, 2012

**4. DEPUTATIONS**

**5. COMMUNICATIONS**

5.1 August 21, 2012 letter from Tom Wood regarding Zoning By-law Amendment Application B-77-923 Referrals from Public Meeting Item 6.1 refers

RESOLUTION

“THAT the August 21, 2012 letter from Tom Wood regarding Zoning By-law Amendment Application B-77-923 be received and referred to Referrals from Public Meeting Item No. 6.1.”

- 5.2 August 27, 2012 email from Scott Pordham, Area Planner, City of Quinte West regarding Zoning By-law Amendment Application B-77-924  
Referrals from Public Meeting Item 6.2 refers

6RESOLUTION

“THAT the August 27, 2012 email from Scott Pordham, Area Planner, City of Quinte West regarding Zoning By-law Amendment Application B-77-924 be received and referred to Referrals from Public Meeting Item 6.2.”

- 5.3 August 22, 2012 letter and new site plan from RFA Planning Consultant Inc. regarding Zoning By-law Amendment Application B-77-922  
Reports Item 7.1 refers

7RESOLUTION

“THAT the August 22, 2012 letter and new site plan from RFA Planning Consultant Inc. regarding Zoning By-law Amendment Application B-77-922 be received and referred to Reports Item 7.1.”

**6. REFERRALS FROM PUBLIC MEETING**

- 6.1 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED – PART OF LOT 3, CONCESSION 2, TOWNSHIP OF THURLOW, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS (NORTHWEST QUADRANT OF HIGHWAY #62 AND PROVINCIAL HIGHWAY #401)**  
**FILE NUMBER: B-77-923**  
**APPLICANT/OWNER: CLOVERBELL DEVELOPMENTS LTD. & 1255437 ONTARIO INC.**  
**AGENT: JOHN HALLORAN**

Communications Item 5.1 refers

RESOLUTION

"THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-law Number 3014, as amended, for Part of Lot 3, Concession 2, Township of Thurlow, now in the City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 3014, as amended, be amended by modifying the provisions of the 'C1 – Highway Commercial' and 'C1-h – Highway Commercial-holding' zones by adding a 'casino' as a permitted use. Moreover, an additional 'h' holding provision shall be added to the site requiring the approval of the Ontario Lottery and Gaming Corporation before a casino is permitted to be developed."

- 6.2 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 2076-80, AS AMENDED – PART OF LOTS 32 TO 36, CONCESSION 2, TOWNSHIP OF SIDNEY, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS (BELL BOULEVARD CORRIDOR)**  
**FILE NUMBER: B-77-924**  
**APPLICANT/OWNER: JENLAND PROPERTIES LTD.**  
**AGENT: AINLEY GROUP**
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Manager of Policy Planning's Report No. AM-2012-21  
 Communications Item 5.2 refers

16

RESOLUTION

"THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-law Number 2076-80, as amended, for Part of Lots 32 to 36, Concession 2, Township of Sidney, Now in the City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 2076-80, as amended, be amended by modifying the provisions of the 'CH-25/MS-H – Highway Commercial/Special Industrial-Holding' zone by adding a 'casino' as a permitted use. Moreover, an additional 'H' holding provision shall be added to the site requiring the approval of the Ontario Lottery and Gaming Corporation before a casino is permitted to be developed."

**7. REPORTS**

- 7.1 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245 AS AMENDED – 68 AND 76 COLLEGE STREET EAST, CITY OF BELLEVILLE, COUNTY OF HASTINGS**  
**FILE NUMBER: B-77-922**  
**APPLICANT/OWNERS: DOMENICO, FIORINA & ELISABETTA RAPINO**  
**AGENT: RFA PLANNING CONSULTANT INC.**

Manager, Approvals Section's Report No. APS-2012-32  
 Communications Item 5.3 refers

**30****RESOLUTION**

"THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-law Number 10245, as amended, for the properties described as 68 and 76 College Street East, City of Belleville, County of Hastings, be APPROVED, as follows:

That Zoning By-law Number 10245, as amended, be amended by rezoning the subject lands from 'R6-10 – Residential Sixth Density' and 'R2 – Residential Second Density' to a special R6 zone with an 'h' holding symbol to permit the construction of a three (3) storey fifteen (15) unit condominium building. The 'h' symbol shall require that the properties be merged on title, as well as other condominium approval conditions, before development is permitted to occur."

- 7.2 **REQUEST FOR EXEMPTION FROM CONDOMINIUM REVIEW – REQUEST FOR CONDOMINIUM CONVERSION - PROPOSED PLAN OF CONDOMINIUM 68 & 76 COLLEGE STREET EAST**  
**APPLICANT: DOMENICO RAPINO**  
**AGENT: RFA PLANNING CONSULTANT INC.**  
**FILE: B-75-777**

Manager of Policy Planning's Report No. AM-2012-23

**37****RESOLUTION**

"That the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville the following:

1. THAT, pursuant to Section 9(3)(b) of the Condominium Act, 1998, the Council of the Corporation of the City of Belleville approve the request for an exemption from condominium review for lands owned by Domenico, Fiorina and Elisabetta Rapino, known municipally as 68 & 76 College Street East in the City of Belleville; and,
2. THAT the Plan of Condominium (File No. B-75-777) for the lands identified in Recommendation No. 1 be granted final approval;
3. THAT the Manager of Approvals be authorized to stamp and sign the final plans provided that the Owner has satisfied all City requirements and the surveyor's condominium plans are satisfactory to Approvals staff; and,
4. THAT Recommendations No. 1 and No. 2 be subject to: a) the rezoning of the subject lands to allow the proposed development; b) the approval of a Site Plan pursuant to Section 41 of the Planning Act by the City for the development of the subject lands; and, c) the merging on title of the two properties at 68 & 76 College Street East."

7.3 **CITY CENTRE INTENSIFICATION PLAN**

Manager of Policy Planning's Report No. AM-2012-22

45

RESOLUTION

"THAT the Manager of Policy Planning's Report No. AM-2012-22 regarding the City Centre Intensification Plan be received."

8. **INFORMATION MATTERS**

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

Report to September 4, 2012

46

9. **GENERAL BUSINESS AND INQUIRIES**

10. **ADJOURNMENT**



# City of Belleville

## Engineering & Development Services Department

169 Front Street  
Tel: 613-968-6481  
Fax: 613-967-3262

**PUBLIC MEETING  
CITY COUNCIL PLANNING COMMITTEE  
CITY HALL - COUNCIL CHAMBER  
169 FRONT STREET  
TUESDAY, SEPTEMBER 4, 2012  
AT 5:30 P.M.**

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A Public Meeting will be held to consider an amendment to Zoning By-Law Number 3014, as amended, for approximately seven (7) hectares of vacant land that is located south of Millennium Drive and west of Highway # 62.

The lands are zoned "C1 – Highway Commercial" and "C1-h – Highway Commercial-holding" and the Applicant requests a rezoning to a special C1 zone to add a "casino" use to the permitted uses of the subject lands. The application is in response to the Ontario Lottery and Gaming Corporation's recent announcement to consider the expansion of private-sector gaming.

The lands are described as Part of Lot 3, Concession 2, Township of Thurlow, now in the City of Belleville, County of Hastings.

### OFFICIAL PLAN:

The subject lands are designated "Commercial Land Use" in the Official Plan as part of the Cannifton Planning Area. Within the "Commercial Land Use" designation a casino is a permitted use subject to satisfying various policies of the Plan.

### ZONING BY-LAW:

The lands are zoned "C1 – Highway Commercial" and "C1-h – Highway Commercial-holding" and the Applicant requests a rezoning to a special C1 zone to add a "casino" use to the permitted uses of the subject lands.

If you wish to be notified of the decision of the City of Belleville or Belleville Planning Advisory Committee in respect of this application, you must submit a written request to Julie Oram, Secretary, Planning Advisory Committee, City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3271, Fax: 613-967-3206, TTY: 613-967-3768, Email: [joram@city.belleville.on.ca](mailto:joram@city.belleville.on.ca)).

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

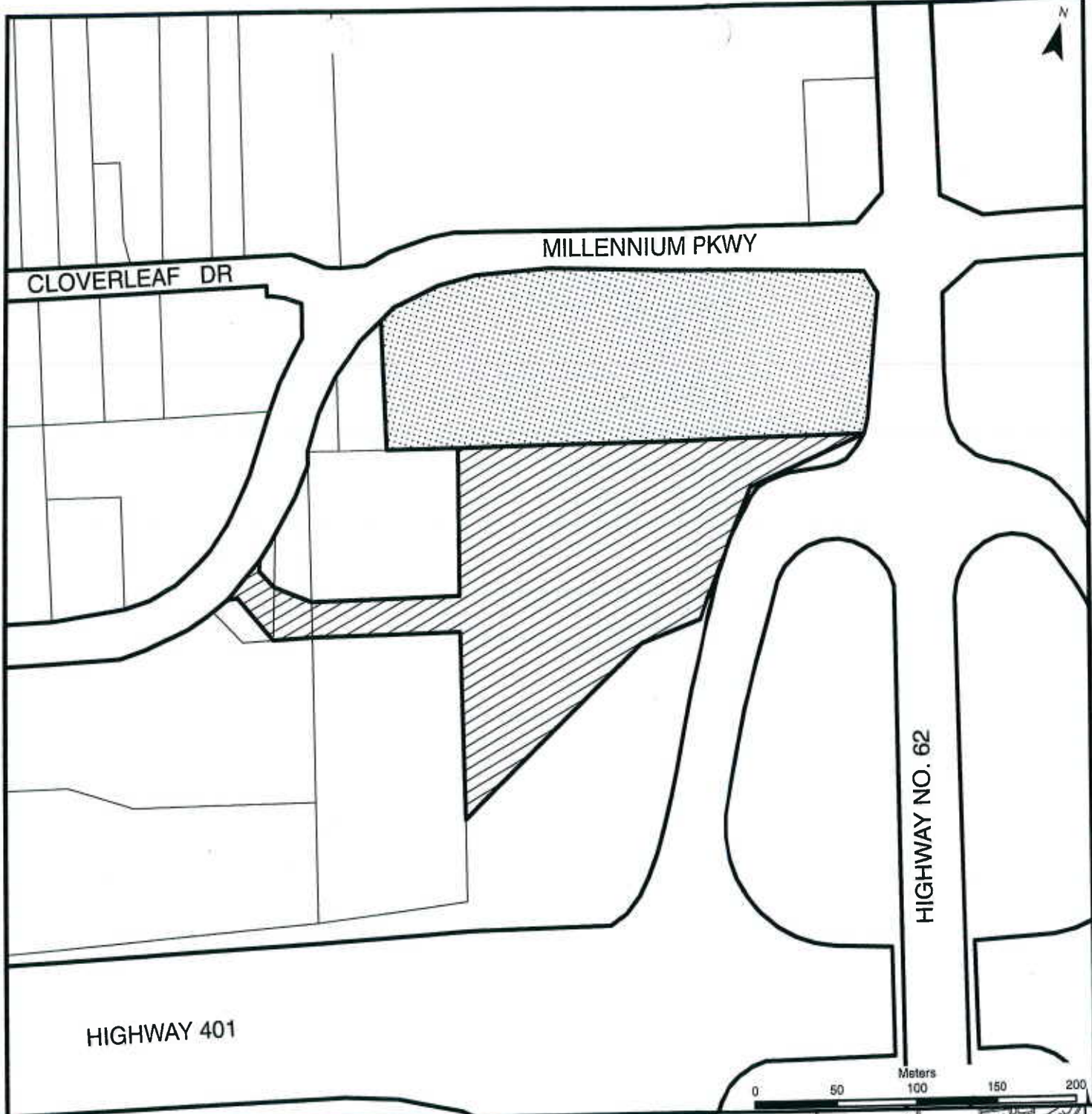
Additional information is available by contacting or visiting the Planning Section, Engineering & Development Services Department, City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3288, Fax: 613-967-3262, TTY: 613-967-3768).

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

Julie Oram, Secretary  
Planning Advisory Committee

DATED at the City of Belleville this 15<sup>th</sup> day of August, 2012





HIGHWAY 401

MILLENNIUM PKWY


CLOVERLEAF DR

HIGHWAY NO. 62

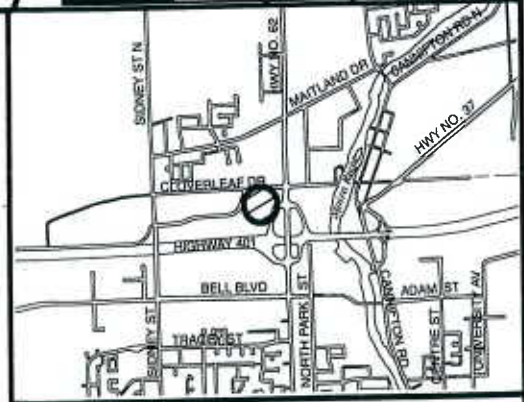


# PROPOSED ZONING BY-LAW AMENDMENT

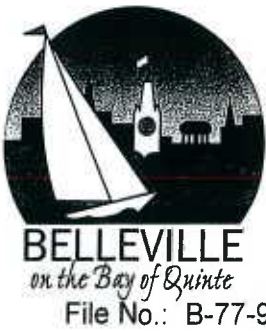
LOCATION: MILLENNIUM PKWY

 - PROPOSED ZONING CHANGE FROM C1-h (HIGHWAY COMMERCIAL - HOLDING) ZONE TO C1-h WITH SPECIAL PROVISIONS

 - PROPOSED ZONING CHANGE FROM C1 (HIGHWAY COMMERCIAL) ZONE TO C1 WITH SPECIAL PROVISIONS



**CITY OF BELLEVILLE**  
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT



# City of Belleville

## Engineering & Development Services Department

169 Front Street  
Tel: 613-968-6481  
Fax: 613-967-3262

**PUBLIC MEETING  
CITY COUNCIL PLANNING COMMITTEE  
CITY HALL - COUNCIL CHAMBER  
169 FRONT STREET  
TUESDAY, SEPTEMBER 4, 2012  
AT 5:30 P.M.**

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A Public Meeting will be held to consider an amendment to Zoning By-Law Number 2076-80, as amended, for approximately 107 hectares of vacant land that is located both north and south of Bell Boulevard.

The lands are zoned "CH-25/MS-H – Highway Commercial/Special Industrial-Holding" and the Applicant requests a rezoning to add a "casino" use to the permitted uses of the CH-25/MS-H zone. The application is in response to the Ontario Lottery and Gaming Corporation's recent announcement to consider the expansion of private-sector gaming.

The lands are described as Part of Lots 32 through 36, Concession 2, Township of Sidney, now in the City of Belleville, County of Hastings.

### OFFICIAL PLAN:

The subject lands are predominately designated "Employment Area" as part of the Loyalist Secondary Plan, with a small section designated "Residential Land Use". Within the "Employment Area" designation a casino is a permitted use subject to satisfying various policies in the Secondary Plan.

### ZONING BY-LAW:

The lands are zoned "CH-25/MS-H – Highway Commercial/Special Industrial-Holding" and the Applicant requests a rezoning to add a "casino" use to the permitted uses of the CH-25/MS-H zone.

If you wish to be notified of the decision of the City of Belleville or Belleville Planning Advisory Committee in respect of this application, you must submit a written request to Julie Oram, Secretary, Planning Advisory Committee, City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3271, Fax: 613-967-3206, TTY: 613-967-3768, Email: joram@city.belleville.on.ca).

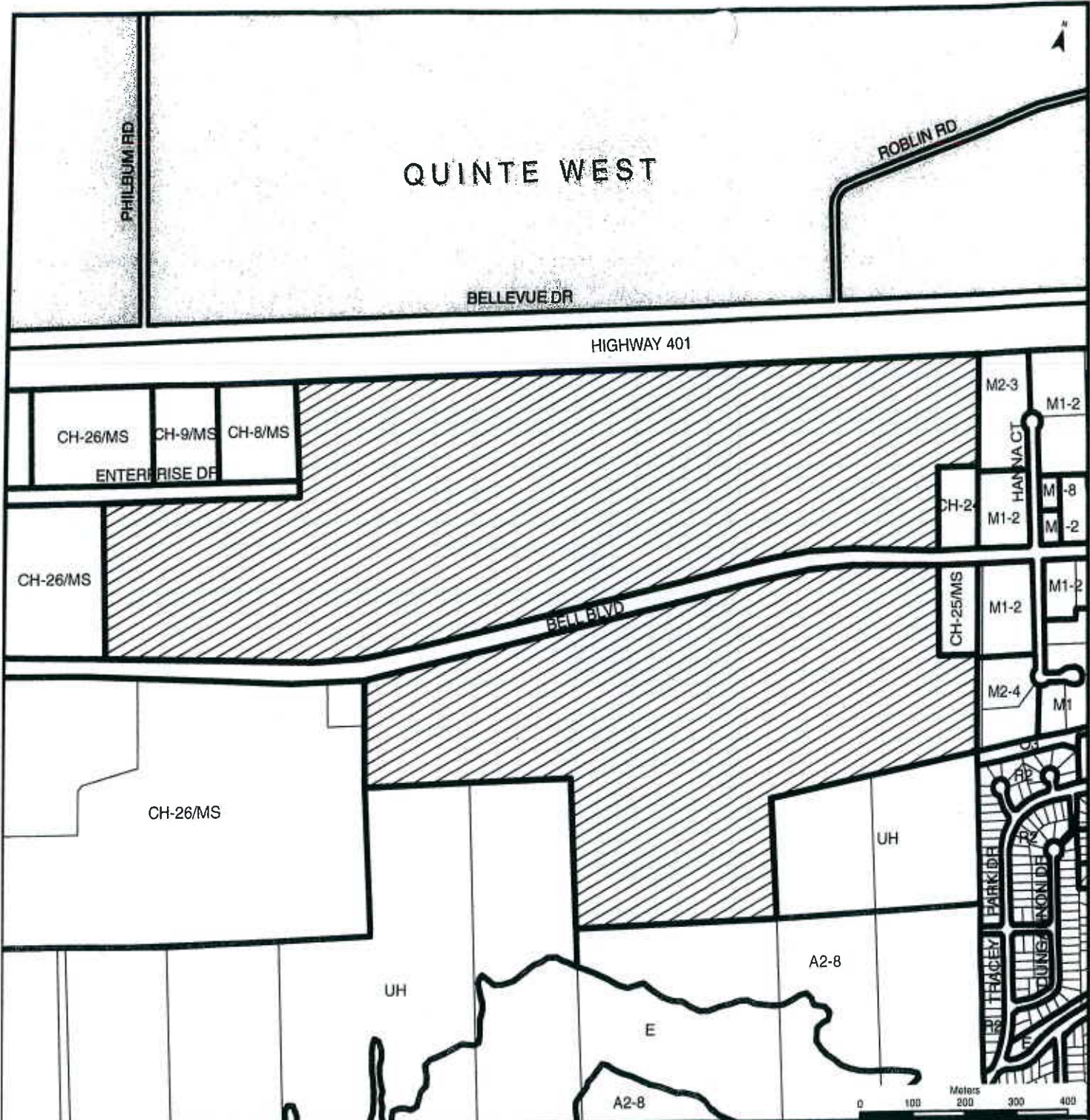
If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Belleville before the by-law is passed, the person or public body is not entitled to appeal the decision of the City of Belleville to the Ontario Municipal Board and may not be added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

Additional information is available by contacting or visiting the Planning Section, Engineering & Development Services Department, City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3288, Fax: 613-967-3262, TTY: 613-967-3768).

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


Julie Oram, Secretary  
Planning Advisory Committee

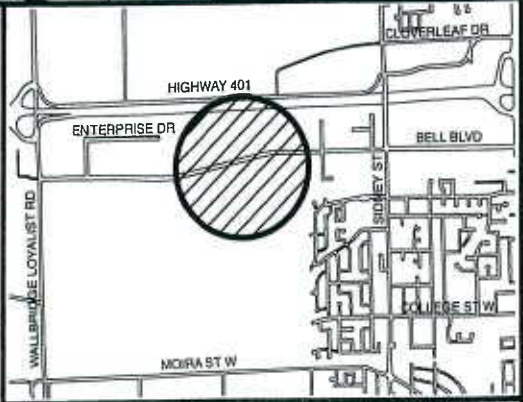
DATED at the City of Belleville this 15<sup>th</sup> day of August, 2012



# PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: BELL BLVD

 - PROPOSED ZONING CHANGE FROM CH-25/MS-H (HIGHWAY COMMERCIAL/ SPECIAL INDUSTRIAL - HOLDING) TO CH-25/MS-H WITH SPECIAL PROVISIONS



**CITY OF BELLEVILLE**  
 Page 4  
 ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT

Copy . . . Dir. Engineering & Development Ser.  
 Mgr. of Policy Planning & Manager of Approvals  
 From: Dir. Corp Services/City Clerk  
 Date: Aug 21, 2012



Tom Wood  
 120 Cloverleaf Drive  
 Belleville, Ontario  
 K8N4Z5  
 613-967-9629  
 August 21, 2012

To The City Of Belleville:

This letter pertains to the proposal to amend the zoning of approx. 7 hectares of vacant land, south of Millennium Drive and west of Highway 62, to allow a "casino" use on that property. I live on Cloverleaf Drive very close to said property. Cloverleaf Drive was recently serviced with water and sewer, and the road was rebuilt with a sidewalk on the south side. It is now a safer and nicer road to travel. I opted to hook up to the city services. It was for several reasons, one being peace of mind of water availability with all the construction in the area. The cost was quite substantial- approx \$ 22000. I realize the services appreciate my house value, but I know I have lost money, as I will only recoup a portion of that investment upon selling. My concern now with this casino, visible from my front yard, is what it does to my property value. I'm sure it can only decrease it, as most people won't buy a house beside a casino. I know I wouldn't- would you? Another huge problem will be traffic. The residents on Cloverleaf Drive endured very heavy traffic for years with people traveling between Taste of Country and Wal-Mart. When Millennium Drive was finally opened up to Highway 62, and a stop sign erected on Cloverleaf, that was going to solve all our traffic woes. In my opinion, it has helped reduce traffic. The opening of a casino would create enormous traffic in the whole area, and we'd be back to square one. Therefore, I STRONGLY oppose a casino going there. Put the casino out on Bell Blvd. Where it was supposed to go. The area is serviced, likely at huge cost to taxpayers, and the zoning is likely already in place. Let's get use of this land and recoup some tax dollars. Thank you for your attention. Tom Wood

<b>RECEIVED</b>	
PLANNING SECTION	
B-77-923	
AUG 21 2012	
	ACTION INFO
A.M.	
N.T.	
G.P.	
J.B.	

*Tom Wood*

August 21, 2012  
 pc - City Clerk  
 from - Manager Policy Planning/nt

**PALLO:CHERYL**

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**Subject:** FW: Belleville ZBA File B-77-924  
**Attachments:** 3695\_001.pdf

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**From:** Scott Pordham [<mailto:scottp@quintewest.ca>]  
**Sent:** August-27-12 4:35 PM  
**To:** MACKAY:ART; ORAM:JULIE  
**Subject:** Belleville ZBA File B-77-924

Mr. MacKay and Ms. Oram,

I received the attached notice for a Zoning By-law Amendment (Belleville File B-77-924). I have reviewed it for the City of Quinte West Planning Department and have no concerns with the proposal.

Please have a copy of the Notice of Decision and any approved Zoning By-law Amendment sent to my attention. The mailing address is:

City of Quinte West  
7 Creswell Drive,  
P.O. Box 490  
Trenton, Ontario  
K8V 5R6  
Attn: Scott Pordham

Thanks.

Scott Pordham, B.E.S., MCIP, RPP  
Area Planner, City of Quinte West  
Phone (613) 392-2841 x4463  
TTY (613) 965-6849  
Fax (613) 392-7151  
Email [scottp@quintewest.ca](mailto:scottp@quintewest.ca)



August 22, 2012

Mr. Spencer Hutchison, Manager, Approvals Section  
Development Services Department  
City of Belleville, City Hall  
169 Front Street, Belleville, ON  
K8N 2Y8

Dear Spencer,

RE: Application for Rezoning, Condominium Conversion and Exemption from  
Condominium Review for 68/76 College Street East Belleville –Files B-75-777  
and B-77-922

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Further to the motion to defer the planning applications from the August 7<sup>th</sup> Planning Advisory Committee meeting, we have prepared an amended site plan for the subject lands (attached) to address the comments raised at the public meeting. Please forward this letter and new site plan to the September 4<sup>th</sup> PAC meeting.

The following summarizes the proposed changes to the site plan from the original site plan that was prepared by Van Meer Limited:

- Existing mature specimen trees that are greater than 9 m (30ft) in height have been located and noted on the site plan. These include a walnut tree at the rear lot line; twin oaks and a mature maple. It is proposed that these trees will be protected and retained when the redevelopment occurs.
- A new row of trees is proposed along the west and north lot lines adjacent to the existing privacy fence. These new trees are intended to replace existing trees in the buffer area. Ten (10) new trees will be planted according to specifications established in the new Site Plan Agreement.

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

 613.966.9070  [www.rfaplanningconsultant.ca](http://www.rfaplanningconsultant.ca)

- The municipal addresses along Donald Street and the existing tree canopy on the school yard have been added to the drawing for information purposes. Although not on the subject property, the trees on the school yard do provide a buffer at the rear of 111, 113, and 115 Donald Street.
- There is a clump of existing cedar trees at the rear of 76 College Street that have been drawn on the site plan (in white). The cedar trees have minimal aesthetic or ecological value and are proposed to be removed.
- Adjustments and improvements have been made to the building and parking lot layout specifications, setbacks and handicapped spaces.

The zoning provision summary has been updated in the following table, with the variations requested to the R6 zone shown in bold.

Zoning Provision	R6 Zone	Proposed
Minimum Lot Area (Minimum)	161.5 sq.m./du	185.3 sq.m
Minimum Lot Frontage	24.0 m	54.5 m
Minimum Front Yard Setback	7.5 m	11.1 m
Min Rear Yard Setback	7.5 m	43 m
Min Interior Side Yard Setback	5.5 m	<b>4.6 m</b> (east side)
Building Height	10.6 m	<b>11 m</b>
Min Landscaped Area	40%	50%
Separation between Buildings	15 m	19.5 m
Separation between driveway and habitable room	7.5 m	<b>6.9 m</b>
Minimum Parking	42 spaces	49 spaces
Buffer on side and rear lot line for parking or driveway	3 m	3 m

In conclusion, existing mature trees will be retained and new trees will be planted to replace the existing trees that have to be removed. The proposed landscape and buffer treatment will be very similar to the existing landscape treatment.

Yours truly,



Ruth Ferguson Aulhouse, MCIP, RPP, President  
RFA Planning Consultant Inc.

C.c. D. Rapino







APPROVAL BLOCK

DE&DS

PB

**CITY OF BELLEVILLE**  
**ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT**  
**PLANNING SECTION**  
**Arthur MacKay, Manager of Policy Planning**  
**Report No. AM-2012-20**  
**September 4, 2012**

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

**Subject:** Proposed Amendment to Zoning By-Law Number 3014, As Amended –  
Part of Lot 3, Concession 2, Township of Thurlow, Now in the City of  
Belleville, County of Hastings (Northwest Quadrant of Highway # 62 and  
Provincial Highway # 401)  
File Number: B-77-923  
Applicant/Owner: CLOVERBELL DEVELOPMENTS LTD. &  
1255437 ONTARIO INC.  
Agent: JOHN HALLORAN

**Recommendation:**

"THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-Law Number 3014, as amended, for Part of Lot 3, Concession 2, Township of Thurlow, Now in the City of Belleville, County of Hastings, be APPROVED as follows:

That Zoning By-Law Number 3014, as amended, be amended by modifying the provisions of the 'C1 – Highway Commercial' and 'C1-h – Highway Commercial-holding' zones by adding a 'casino' as a permitted use. Moreover, an additional 'h' holding provision shall be added to the site requiring the approval of the Ontario Lottery and Gaming Corporation before a casino is permitted to be developed."

## **SUMMARY:**

The lands are zoned "C1 – Highway Commercial" and "C1-h – Highway Commercial-holding" and the Applicant requests a rezoning to a special C1 zone to add a "casino" use to the permitted uses of the subject lands. The application is in response to the Ontario Lottery and Gaming Corporation's recent announcement to consider the expansion of private-sector gaming.

The subject lands are designated "Commercial Land Use" in the Official Plan as part of the Cannifton Planning Area. Within the "Commercial Land Use" designation a casino is a permitted use subject to satisfying various policies of the Plan.

If this application is approved, it is recommended that a "h" - holding provision be added to the site requiring the approval of the Ontario Lottery and Gaming Corporation before a casino is permitted to be constructed.

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

## **BACKGROUND:**

### **Purpose and Effect**

The proposed Zoning By-Law amendment applies to approximately 7 hectares of vacant land located at the northwest quadrant of Highway # 62 and Provincial Highway # 401.

The purpose of the application is to amend Zoning By-Law Number 3014, as amended, to permit the site to be developed with a casino.

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

### **Subject Property**

- Site Characteristics

The site is located at the northwest quadrant of Highway # 62 and Provincial Highway # 401 and is presently vacant.

- Adjacent Land Uses

To the north, fronting on the north side of Millennium Parkway are located retail commercial uses including the Lowe's Home Improvement Warehouse of Belleville retail store and other highway commercial zoned lands owned by the applicant. To the west

and south are lands owned by Province of Ontario (Ministry of Transportation) which include a patrol yard, as well as a facility owned by the Department of National Defence. To the east, across Highway # 62 is located a retail commercial plaza.

### **Official Plan**

The property is designated "Commercial Land Use" in the City Official Plan, which would permit the casino use proposed by the requested zoning change.

### **Zoning By-Law**

The lands are zoned "C1 – Highway Commercial" and "C1-h – Highway Commercial-holding" and the Applicant requests a rezoning to a special C1 zone to add a "casino" use to the permitted uses of the subject lands.

The "h" holding symbol that covers a portion of the site was attached in 2008 when the property was previously rezoned. This was done to ensure that the two (2) parcels were merged on title, as well as requiring the completion of a traffic impact study and a hydrogeological study to determine impacts on adjacent wells before development was to occur.

If this application is approved, it is recommended that an additional "h" - holding provision be added to the site requiring the approval of the Ontario Lottery and Gaming Corporation before a casino is permitted to be constructed.

### **Application Circulation**

- External Agency Circulation

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Hydro One, Veridian Connections, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines, Quinte Conservation and the Ministry of Transportation on August 15, 2012

The Algonquin & Lakeshore Catholic School Board has no concern.

Quinte Conservation comments as follows:

"As per the application provided to this office it is our understanding that the proposal will rezone an existing vacant parcel to allow for casino use.

Staff have reviewed the application along with all pertinent information relating to the subject property, and reviewed the application with respect to the applicability of Ontario Regulation #319/09 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines

and Watercourses), Quinte Conservation policies, the Federal Fisheries Act, and the natural hazard policy of the Provincial Policy Statement. Based on our review, we do not object to the approval of this application as presented.

### **Stormwater Management**

The subject lands lie within the No Name Creek Master Drainage Plan – Stormwater Planning Area thus any new development on the subject land must demonstrate that post-development flows do not exceed pre-development levels for design storms from the 5-year to 100-year events and the Level 1 (enhanced) protection storage criteria set out in the Ministry of the Environment Stormwater Management Planning and Design Manual (2003) should be utilized for this application."

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

- Internal Department Circulation

The subject application was circulated for comment to Belleville Fire and Emergency Services, Belleville Police Service, the Department of Engineering and Development Services, the Environmental & Operational Services Department, the Department of Recreation, Culture and Community Services and the Manager of Approvals on August 15, 2012.

The Development Engineer advises as follows:

"The only comment I have is that a site plan will need to be developed in accordance with the Site Plan process, including the preparation of any studies required by the City and the provision of road widenings, servicing, grading, stormwater management and site access to the satisfaction of the City."

The Recreation, Culture and Community Services Department, Belleville Fire and Emergency Services and the Manager of Approvals have no concerns or comments.

- Public Circulation

Notice of the subject application was circulated to all registered landowners within 120 metres (400 feet) of the subject property and notice was provided by advertisement in The Intelligencer on August 15, 2012.

Tom Wood of 120 Cloverleaf Drive has commented that he is opposed to a casino at this location.

## Planning Analysis

The property is designated "Commercial Land Use" in the Official Plan as part of the North Front/Highway # 62 corridor which is identified in the Plan as representing the major existing and developing arterial commercial strip of the City. This corridor is intended to serve regional and local markets, as well as providing specialty services for the tourism sector. The permitted uses include, but are not limited to, retail commercial uses, places of entertainment, restaurants, hotels and motels, personal service uses and recreational uses, either in the form of individual stores or in plazas or clusters.

In addition, the site currently has commercial zoning that permits an extensive range of highway commercial uses which include places of amusement, entertainment or recreation. The site also has substantial frontage on Millennium Parkway, as well as frontage on Highway # 62.

On the basis of the forgoing, the land use issues associated with a proposed casino use would meet the intent of both the Official Plan and Zoning By-Law. The details of any proposed development would be reviewed and addressed as part of the Site Plan control process.

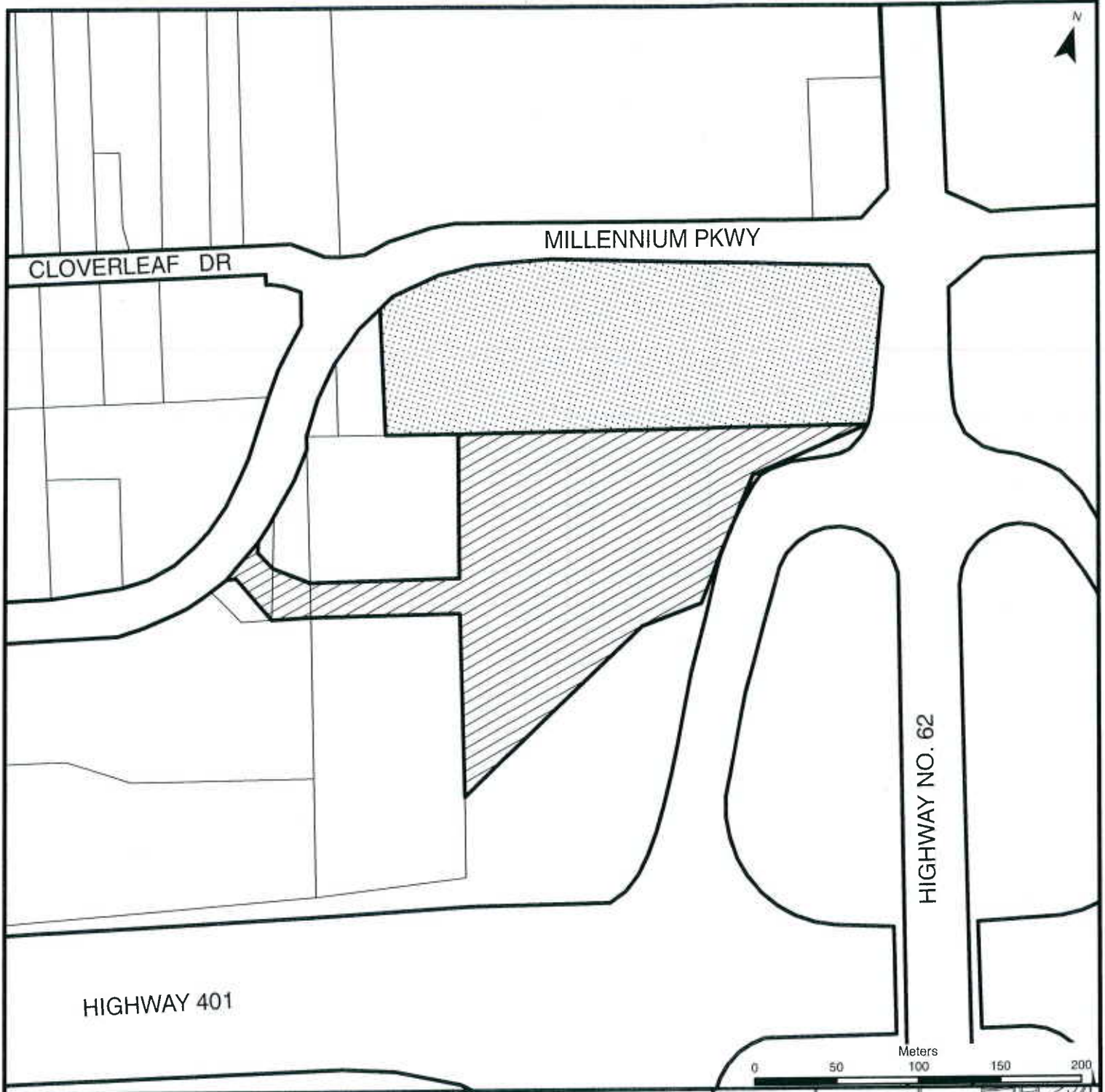
However, should this application be approved, it is recommended that an additional "h" - holding provision be added to the site requiring the approval of the Ontario Lottery and Gaming Corporation at this location before a casino is permitted to be constructed.



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Arthur MacKay  
Manager of Policy Planning

atta

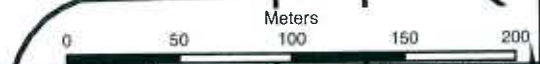


# PROPOSED ZONING BY-LAW AMENDMENT

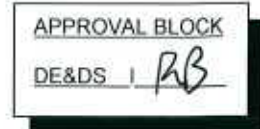
LOCATION: MILLENNIUM PKWY

 - PROPOSED ZONING CHANGE FROM C1-h (HIGHWAY COMMERCIAL - HOLDING) ZONE TO C1-h WITH SPECIAL PROVISIONS

 - PROPOSED ZONING CHANGE FROM C1 (HIGHWAY COMMERCIAL) ZONE TO C1 WITH SPECIAL PROVISIONS



**CITY OF BELLEVILLE**  
 Page 15  
 ENGINEERING & DEVELOPMENT  
 SERVICES DEPARTMENT



**CITY OF BELLEVILLE**  
**ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT**  
**PLANNING SECTION**  
**Arthur MacKay, Manager of Policy Planning**  
**Report No. AM-2012-21**  
**September 4, 2012**

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

**Subject:** Proposed Amendment to Zoning By-Law Number 2076-80, As Amended –  
Part of Lots 32 to 36, Concession 2, Township of Sidney, Now in the City  
of Belleville, County of Hastings (Bell Boulevard Corridor)  
File Number: B-77-924  
Applicant/Owner: JENLAND PROPERTIES LTD.  
Agent: AINLEY GROUP

**Recommendation:**

"THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-Law Number 2076-80, as amended, for Part of Lots 32 to 36, Concession 2, Township of Sidney, Now in the City of Belleville, County of Hastings, be APPROVED as follows:

That Zoning By-Law Number 2076-80, as amended, be amended by modifying the provisions of the 'CH-25/MS-H – Highway Commercial/Special Industrial-Holding' zone by adding a 'casino' as a permitted use. Moreover, an additional 'H' holding provision shall be added to the site requiring the approval of the Ontario Lottery and Gaming Corporation before a casino is permitted to be developed."

**SUMMARY:**

The application pertains to approximately 107 hectares of vacant land that is located both north and south of Bell Boulevard.

The lands are zoned "CH-25/MS-H – Highway Commercial/Special Industrial-Holding" and the Applicant requests a rezoning to add a "casino" use to the permitted uses of the CH-25/MS-H zone. The application is in response to the Ontario Lottery and Gaming Corporation's recent announcement to consider the expansion of private-sector gaming.

The subject lands are predominately designated "Employment Area" as part of the Loyalist Secondary Plan, with a small section designated "Residential Land Use". Within the "Employment Area" designation a casino is a permitted use subject to satisfying various policies in the Secondary Plan.

If this application is approved, it is recommended that an additional "H" - holding provision be added to the site requiring the approval of the Ontario Lottery and Gaming Corporation before a casino is permitted to be constructed.

In support of the application, the Applicant has submitted a Planning Report prepared by Ainley Group.

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

## **BACKGROUND:**

### **Purpose and Effect**

The proposed Zoning By-Law amendment applies to approximately 107 hectares of vacant land located on both the north and south sides of Bell Boulevard.

The purpose of the application is to amend Zoning By-Law Number 2076-80, as amended, to permit the lands to be developed with a casino.

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

### **Subject Property**

- Site Characteristics

The lands are vacant and have extensive frontages along the Bell Boulevard corridor.

- Adjacent Land Uses

To the north, on the north side of Bell Boulevard, are located commercial/industrial uses fronting on Enterprise Drive and the Highway # 401 corridor. To the east, further along Bell Boulevard is located the North West Industrial Park. To the west are vacant lands zoned for commercial/industrial purposes. To the south, on the south side of Bell Boulevard, the lands are also vacant.



### **Official Plan**

The subject lands are predominately designated "Employment Area" as part of the Loyalist Secondary Plan, with a small section designated "Residential Land Use". Within the "Employment Area" designation a casino is a permitted use subject to satisfying various policies in the Secondary Plan.

### **Zoning By-Law**

The lands are zoned "CH-25/MS-H – Highway Commercial/Special Industrial-Holding" and the Applicant requests a rezoning to add a "casino" use to the permitted uses of the CH-25/MS-H zone.

The "H" - holding symbol that covers the lands was attached in 2001 requiring the demonstration of water and sewer services, the preparation of a Traffic Impact Study and the completion of a Hydrogeological Analysis for ground water impacts before development is to occur.

If this application is approved, it is recommended that an additional "H" - holding provision be added to the site requiring the approval of the Ontario Lottery and Gaming Corporation before a casino is permitted to be constructed.

### **Application Circulation**

- External Agency Circulation

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Hydro One, Veridian Connections, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines, Quinte Conservation, the City of Quinte West and the Ministry of Transportation on August 15, 2012

The Algonquin & Lakeshore Catholic School Board and the City of Quinte West advise that they have no concern.

Quinte Conservation comments as follows:

"As per the application provided to this office it is our understanding that the proposal will rezone an existing vacant parcel to allow for casino use.

Staff have reviewed the application along with all pertinent information relating to the subject property, and reviewed the application with respect to the applicability of Ontario Regulation #319/09 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), Quinte Conservation policies, the Federal Fisheries Act, and the natural hazard policy of the Provincial Policy Statement.

Based on our review, we do not object to the approval of this application as presented.

### **Stormwater Management**

The subject lands lie within the Potter Creek Master Drainage Plan – Stormwater Planning Area thus any new development on the subject land must demonstrate that post-development flows do not exceed pre-development levels for design storms from the 5-year to 100-year events and the Level 1 (enhanced) protection storage criteria set out in the Ministry of the Environment Stormwater Management Planning and Design Manual (2003) should be utilized for this application.

### **Hydrogeological**

Consideration should be given to the groundwater wells which service adjacent residents. Quinte Conservation suggests that a baseline survey of neighbouring wells and evaluation of potential impacts on groundwater (both quality and quantity) from the proposed development be conducted."

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

- Internal Department Circulation

The subject application was circulated for comment to Belleville Fire and Emergency Services, Belleville Police Service, the Department of Engineering and Development Services, the Environmental & Operational Services Department, the Department of Recreation, Culture and Community Services and the Manager of Approvals on August 15, 2012.

The Development Engineer advises as follows:

"The only comment I have is that a site plan will need to be developed in accordance with the Site Plan process, including the preparation of any studies required by the City and the provision of road widenings, servicing, grading, stormwater management and site access to the satisfaction of the City."

The Recreation, Culture and Community Services Department, Belleville Fire and Emergency Services and the Manager of Approvals have no concerns or comments.

- Public Circulation

Notice of the subject application was circulated to all registered landowners within 120 metres (400 feet) of the subject property and notice was provided by advertisement in The Intelligencer on August 15, 2012.

No comments have been received about this application

### **Planning Analysis**

The subject lands are predominately designated "Employment Area" as part of the Loyalist Secondary Plan, with a small section designated "Residential Land Use". Within the "Employment Area" designation a range of commercial and industrial uses are permitted, subject to satisfying various policies in the Secondary Plan. It is the intention of the Plan that these lands are to provide employment opportunities to the residents of the region. The permitted uses include, but are not limited to, places of entertainment, restaurants, hotels, motels and personal service uses. Bell Boulevard is designated in the Secondary Plan as the main arterial road which bisects the north portion of the Secondary Plan area.

The lands currently have commercial/industrial zoning that permits an extensive range of highway commercial and special industrial uses which include places of amusement. It is also noted that other lands in the vicinity have been rezoned previously to permit a similar use (i.e. a slot machine gaming facility in association with the proposed racetrack). The further development of these lands will serve to provide a catalyst for the future development of the extensive commercial and industrially zoned lands that are located along Bell Boulevard, which have been identified for many years in planning documents as part of a potential urban growth area.

On the basis of the forgoing, the land use issues associated with a proposed casino use would meet the intent of both Secondary Plan and Zoning By-Law. The details of any proposed development would be reviewed and addressed as part of the Site Plan control process.

In support of the application a Planning Report has been prepared by Ainley Group which is attached for the Committee's information.

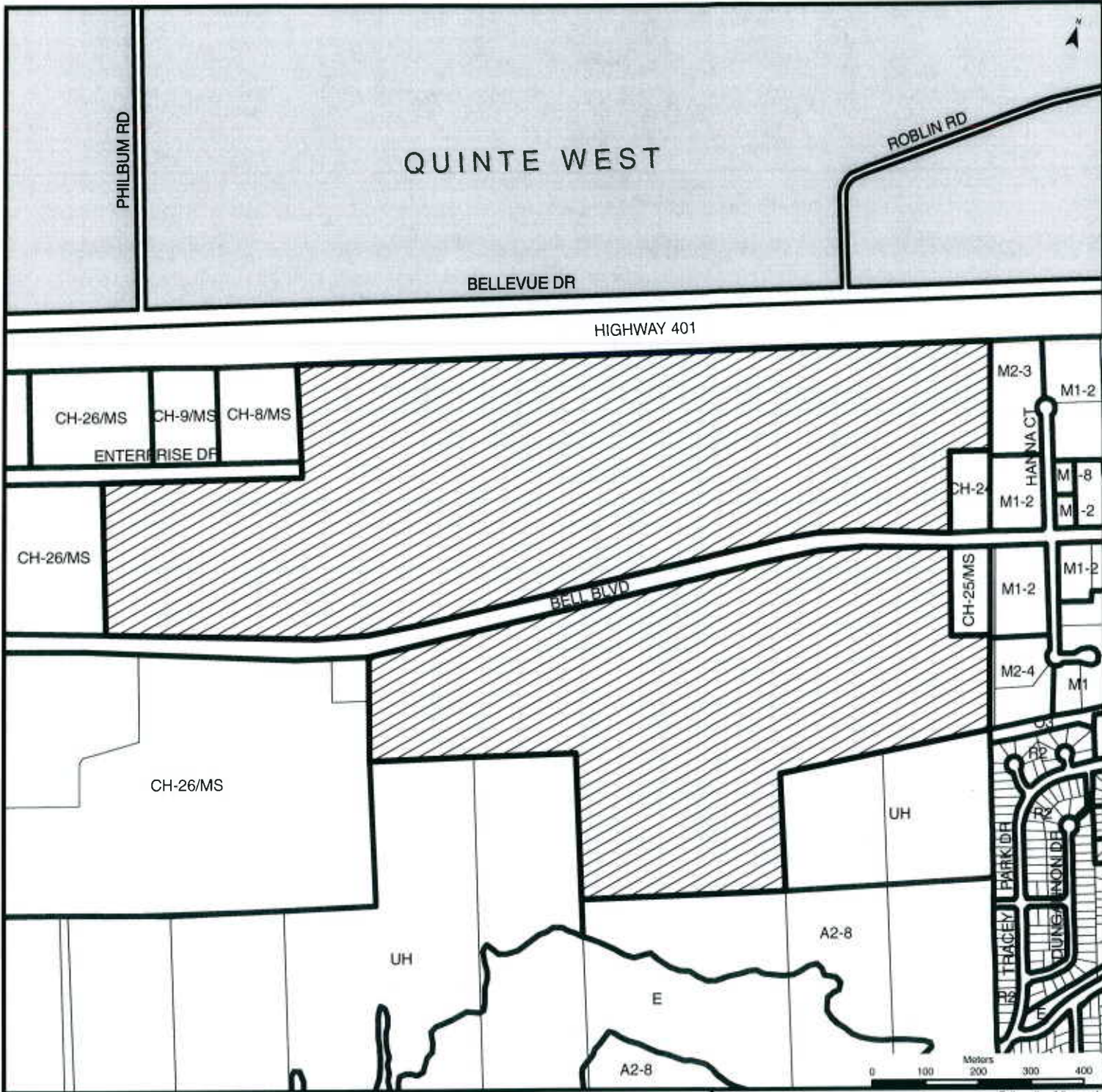
Finally, should this application be approved, it is recommended that an additional "H" - holding provision be added to the site requiring the approval of the Ontario Lottery and Gaming Corporation at this location before a casino is permitted to be constructed.



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Arthur MacKay  
Manager of Policy Planning

atta



# PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: BELL BLVD

 - PROPOSED ZONING CHANGE FROM CH-25/MS-H (HIGHWAY COMMERCIAL/ SPECIAL INDUSTRIAL - HOLDING) TO CH-25/MS-H WITH SPECIAL PROVISIONS



**CITY OF BELLEVILLE**  
 Page 21  
 ENGINEERING & DEVELOPMENT  
 SERVICES DEPARTMENT

PLANNING REPORT

Zoning Bylaw Amendment Application - Bell Boulevard (north and south sides)  
Concession 2, Part of Lots 32, 33, 34, 35 and 36 (north side)  
And  
Concession 2, Part of Lots 34 to 36 (south side)  
Sidney Township (now City of Belleville)

Prepared for: Jenland Properties  
57 Cannifton Road  
Belleville, ON  
K8N 4V1

Prepared by:  
Ainley Group Engineers and Planners  
45 South Front Street  
Belleville, ON  
K8N 2Y5

July, 2012

RECEIVED		
PLANNING SECTION		
B-77-924		
JUL 23 2012		
	ACTION	INFO
A.M.		
N.T.		
G.P.		Page 22
J.P.		

## **Overview of Application**

The proposal is to rezone two parcels of land encompassing 62 hectares (153 acres) (north side) and 45.3 hectares (112 acres) (south side) to add a use to the existing uses permitted in the Special Highway Commercial/Special Industrial-Holding (CH-25/MS-H) zone. Should the application be approved, the zone category will not change but the permitted uses within the zone will be enlarged to permit one additional use. Approval of this application will permit a casino to be constructed on either parcel.

This application is being made in anticipation of a proposal to the Ontario Lottery and Gaming Commission for a licence to construct and operate a gaming facility within regulations established by the Commission.

## **Description and Location of the Lands**

The subject lands are located on the north and south sides of Bell Boulevard, west of Sidney Street and immediately west of existing development along the corridor. The site is situated on Bell Boulevard midway between its intersections with Wallbridge-Loyalist Road and with North Sidney Street. The subject lands have extensive frontage on Bell Boulevard with approximately 1178 metres (south parcel) and 1582 metres (north parcel).

The lands are currently vacant and have been used historically as farmland. The lands are relatively flat and are partly open field and partly vegetated with scrub and small trees.

There is an easement described as Part 10 on the attached survey which contains an existing sewage line running the length of the easement which is connected to the main line on Bell Boulevard. There is a water line within the easement described on the attached survey as Part 2 running north from Bell Boulevard along the east side of the north parcel and along its north side. This water line was installed in the 1980's and goes to holding tanks at the Ten-Acre Truck Stop. It is no longer connected as the Truck Stop is now connected to municipal sewer and water systems at the corner of Hannafin Drive and Enterprise Drive.

A Hydro One utility easement crosses the south end of the south parcel. It is described as Part 15 on the attached survey.

The lands are serviced by municipal water and sewer systems and lie within the Urban Service Area of the City.

The lands are located on and accessed via arterial roads. Bell Boulevard, Wallbridge-Loyalist Road and Sidney Street are all designated as arterial roads in the City's Official Plan. Arterial roads are meant to support high volumes of traffic and carry mainly non-local traffic. These roads connect to Highway 401 at two nearby interchanges, both located within 10 minutes of the subject lands.

Surrounding land uses to the east include Habitat for Humanity's Restore, Loyalist Veterinary Hospital and several small industries on Hanna Court. The Quinte Mall and various commercial uses are located within one kilometre to the east.

To the south of the south parcel is vacant land. The north parcel is bounded on the north by Highway 401.

There is vacant land to the west along Bell Boulevard as it approaches Wallbridge-Loyalist Road. An OPP office and Hydro One office yard are located at the south-east corner of the intersection of Wallbridge-Loyalist Road and Bell Boulevard. Ten-Acre Truck Stop occupies most of the land north of that intersection. There are various residential and commercial uses along Wallbridge-Loyalist Road south of the intersection.

The lands enjoy high visibility from Highway 401 and efficient access from both Highway 401 and the surrounding area transportation network. A site location plan is attached.

### **Other Planning Approvals**

A zoning bylaw amendment is requested with this application. No other planning approvals are requested at this time. Should development be proposed on the site, a site plan and a registered site plan agreement will be required by the City for development to proceed. Until additional requirements are known, it is not practical to provide a conceptual site plan.

An application for severance of part of the lands may be submitted to the City in the future. At this time however, needs regarding the size and configuration of parcels for any of the permitted and requested uses are not known. The lands are large and have extensive frontage along Bell Boulevard. Consequently, the lands provide flexibility for meeting any requirements for the proposed additional use.

Should the lands be chosen as the site for a casino by the Ontario Lottery and Gaming Commission, the Commission's requirements will be known at that time. Given the area and frontage of each of the north and south parcels, a suitably-sized and designed site and building can be located on the subject lands along with parking and other municipal requirements for such a use.

Storm water management will be implemented through review of any development proposal against the Potter Creek Master Drainage Plan and Implementation Plan (2008).

The north parcel lies within the corridor control area of the Ministry of Transportation. The Ministry will be consulted regarding any development within its control area and impacts on Highway 401 and the two nearby interchanges.

There is a Holding symbol on the existing zoning. Removal of the Holding provision requires approval of a bylaw by the City. Conditions for the removal of Holding include availability of municipal water and sewer services, completion of a traffic study to assess impact of development and completion of a hydrogeological study to address impacts of development on area groundwater resources. Removal of holding provisions is not requested at this time.

### **Additional Studies**

**A traffic impact study** has been completed (IBI, 2012) which analysed trip generation based on existing permitted uses and made recommendations regarding road improvements and access along the Bell Boulevard corridor. As with any such study, certain assumptions were used for analysis which may need to be modified. However, the applicant has already completed a substantial amount of traffic impact analysis.

**A hydrogeological assessment** is a requirement for the removal of the Holding provisions on both parcels and will be completed at such time as an application for site plan approval is submitted to the City. Quinte Conservation comments of July, 2012 confirm the need to complete a hydrogeological study to ensure protection of ground water resources. This will be required on a parcel-wide basis or for each parcel as smaller parcels are created for specific uses.

**A Water Distribution System Study** was completed by the City in 2005 which determined that the water servicing requirements for development of lands within the Loyalist Secondary Plan will not need additional water storage capacity or water plant capacity.

**A storm water management study** of the Loyalist Secondary Plan area was completed by the City in the Potter Creek Master Drainage Plan and Implementation Report (Quinte Conservation, 2008). This provided a planning framework for accommodation of development within the planning area.

### **Conformity to the City's Official Plan and Zoning Bylaw**

#### **Provincial Policy Statement**

The Provincial Policy Statement (PPS) has applied to all planning applications since 2005. It provides policy direction on matters of provincial interest related to land use planning. All decisions related to land use planning "shall be consistent with" the PPS.

The subject lands are situated in a *Settlement Area* which is to be the focus of growth and within an *Employment Area* designated in the City's Official Plan as a location for business and economic activity.

#### **Official Plan/Loyalist Secondary Plan**

The subject lands lie within the Loyalist Secondary Plan which forms part of the City's Official Plan. It establishes policies for development to year 2030 for 950 hectares of land along the western boundary of the City between Highway 401 and Dundas Street West known as the Loyalist Planning Area.

The Plan designates the majority of the subject lands (south parcel) as Employment Area. An area along the south-east side of the parcel is designated Residential. The subject lands (north parcel) are designated Employment Area.

Lands within the Employment Area designation are intended to meet the City's needs for future commercial/industrial uses, supported by appropriate public infrastructure. According to the Loyalist Secondary Plan, the Employment Area designation provides for "a full range of commercial and industrial land uses ... to be located on major



transportation routes to ensure maximum exposure to the travelling public and facilitate ease of access”.

Commercial employment uses include retail establishments, places of entertainment, assembly hall, restaurants, hotels and motels, recreational uses, business and professional offices, personal service uses, automotive uses and community facilities. This designation recognizes that this type of development is dependent on vehicular access and directs these uses to sites that are “readily accessible from the arterial road network”.

The Employment Area designation directs that developments adjacent to Highway 401 should ensure that a portion of the property facing the highway is developed with a high standard of urban design” and that all commercial activities shall be encouraged to locate within enclosed buildings and appropriately landscaped”.

The Employment area designation requires buffering, increased setbacks, structural barriers and/or architectural design to be provided along any mutual boundary of commercial/industrial lands and residential lands to ensure compatible development. It also requires retention of natural areas and features including drainage courses such as the tributary of Potter Creek that crosses the subject lands.

The Loyalist Secondary Plan permits direct access to major arterial roads from lots with large frontages only.

The Loyalist Secondary Plan “encourages development of uses that attract and provide services to tourists”.

The Loyalist Secondary Plan supports development of the Bell Boulevard corridor through phasing. It outlines Phase 1 lands as the lands “contiguous to the existing built-up area of the City and that can be developed within the capacities of the existing infrastructure” and consist of ... the 100 hectares located south of Highway 401 and north of the hydro right-of-way”. These are the lands subject to this application.

This application conforms to the intent of the Loyalist Secondary Plan of the Belleville Official Plan.

#### Zoning Bylaw No. 2076-80

The proposed casino use is similar to the uses already permitted in the CH-25/MS-H zone. This zone allows a range of commercial uses including places of amusement, eating establishments, retail uses, various automotive uses, and large commercial uses such as auction halls, banquet or meeting halls, motels and hotels, retailing warehouse outlets and building supply centres.

The addition of a casino use is in keeping with the intent of the City’s zoning bylaw and the existing zoning on the parcels.

#### Suitability of the Amendment

The proposed additional use of a casino is entirely suitable on the subject lands for the following reasons.

1. The Employment Area designation provides for a full range of commercial and industrial uses. The application is to add a commercial use to an existing commercial zone. The existing zoning already permits similar commercial uses such as places of entertainment.
2. The Employment Area designation promotes uses that attract and provide services to tourists. A casino use will create a major tourist attraction and thereby create spinoff economic effects for the Bell Boulevard corridor including the Quinte Mall, hotels and other commercial uses located in the area.
3. The subject lands are isolated from residential neighbourhoods. Should residential uses be developed to the south, the subject lands will be buffered and separated both visually and physically by fencing, landscaping and other means that the City can require through the site plan control process.
4. The site is a 'landmark' location and is highly visible from Highway 401. It provides an ideal location for the requested additional use to attract tourists to the City and adds to the development of Belleville as a 'destination' location.
5. The proposed additional use is a commercial use that is going to be located in a commercial area. The proposed additional use is in keeping with the character of surrounding land uses.
6. As directed by the Loyalist Secondary Plan, commercial uses within the plan area should be located such that the arterial road network is readily accessible. The site fronts on an arterial road and has access to two nearby arterials. The site is 'readily accessible from the arterial roads network', as required by the Plan.
7. The Loyalist Secondary Plan supports the development of buildings that "employ an architectural design that is attractive, functional and in keeping with the character of the area". The site represents an opportunity for the subject lands and the casino use to create a 'landmark' building on an important and highly visible site.
8. The Loyalist Secondary Plan establishes a clear phasing plan for Bell Boulevard. Phase I development is to occur on lands that are 'contiguous to the existing built-up area of the City'. The subject lands are those lands described in the Plan and slated by the City for the initial development of Bell Boulevard. The addition of a casino use will contribute to the attractiveness of the parcels for development which meets the objectives of the City's phasing plan for Bell Boulevard.
9. Substantial background analysis has been completed by both the City and the applicant regarding the subject lands including traffic impact and servicing. Municipal infrastructure has been built to support development. The planning policy framework is in place to encourage development of the type requested by this application.

### **Planning Opinion**

This application provides an opportunity to enhance the development potential of two large parcels of highly visible, fully-serviced land located within the City's arterial road network in an area of similar uses. It is consistent with the Provincial Policy Statement regarding commercial development in an *Employment Area*, conforms to the intent of the planning policies of the Loyalist Secondary Plan of the Belleville Official Plan and would comply with Zoning Bylaw 2076-80, as amended. This application represents good planning.

# JENLAND PROPERTIES ZBA - BELL BOULEVARD

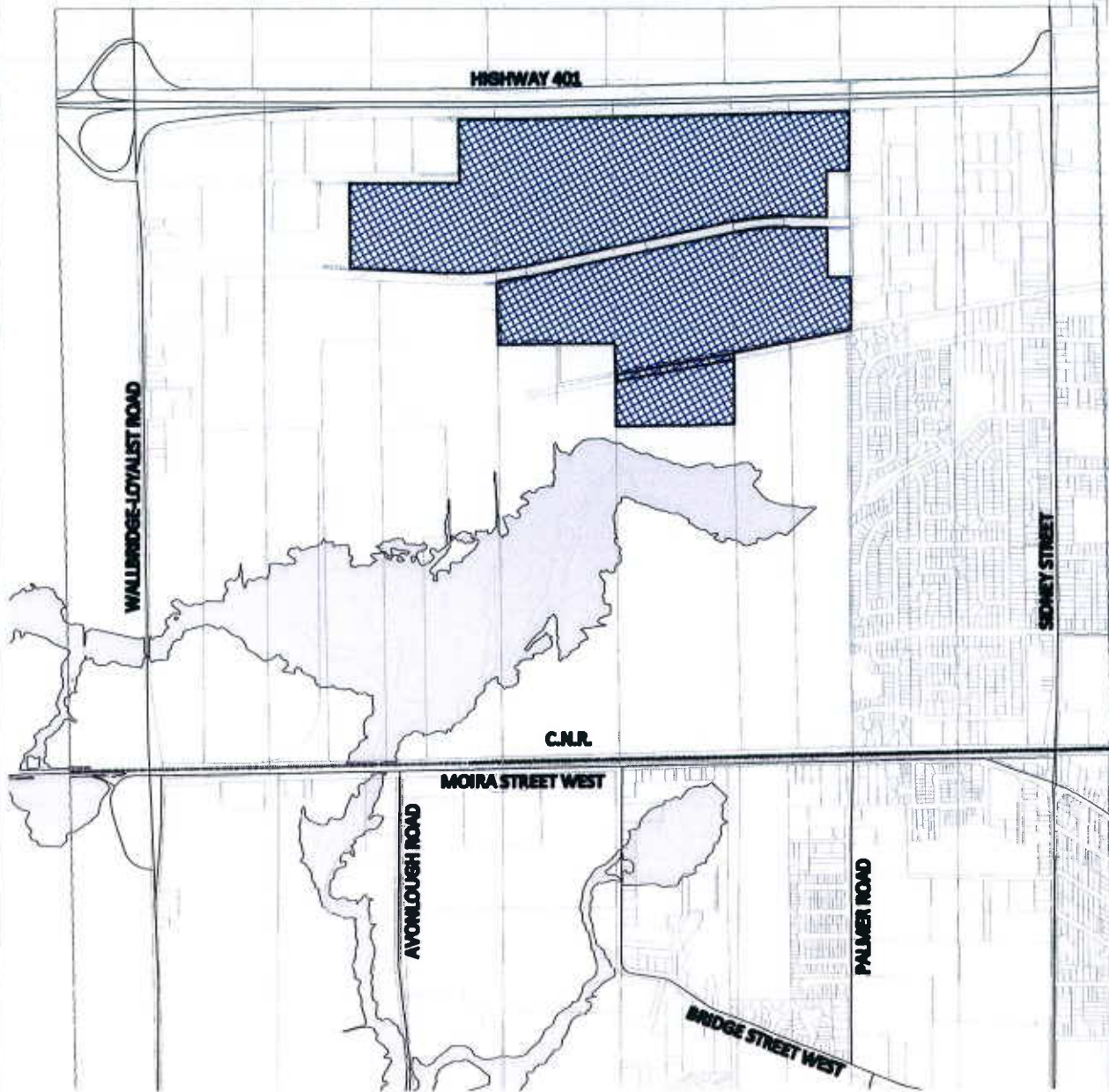
City of Belleville (formerly Sidney Township)

## SITE LOCATION PLAN

TO AMEND By Law No. 2076-80

(formerly Sidney Township)

CH-25/MS-H Special Highway Commercial/Industrial Holding



CH-25/MS-H Special Highway  
Commercial/Industrial Holdings  
to add a 'Casino' as a permitted use

AREAS of Parcels = 61.29 ha (North)  
= 45.18 ha (South)

**inley** CONSULTING  
ENGINEERS  
PLANNERS

**SITE LOCATION PLAN**

# COMPILED PLAN

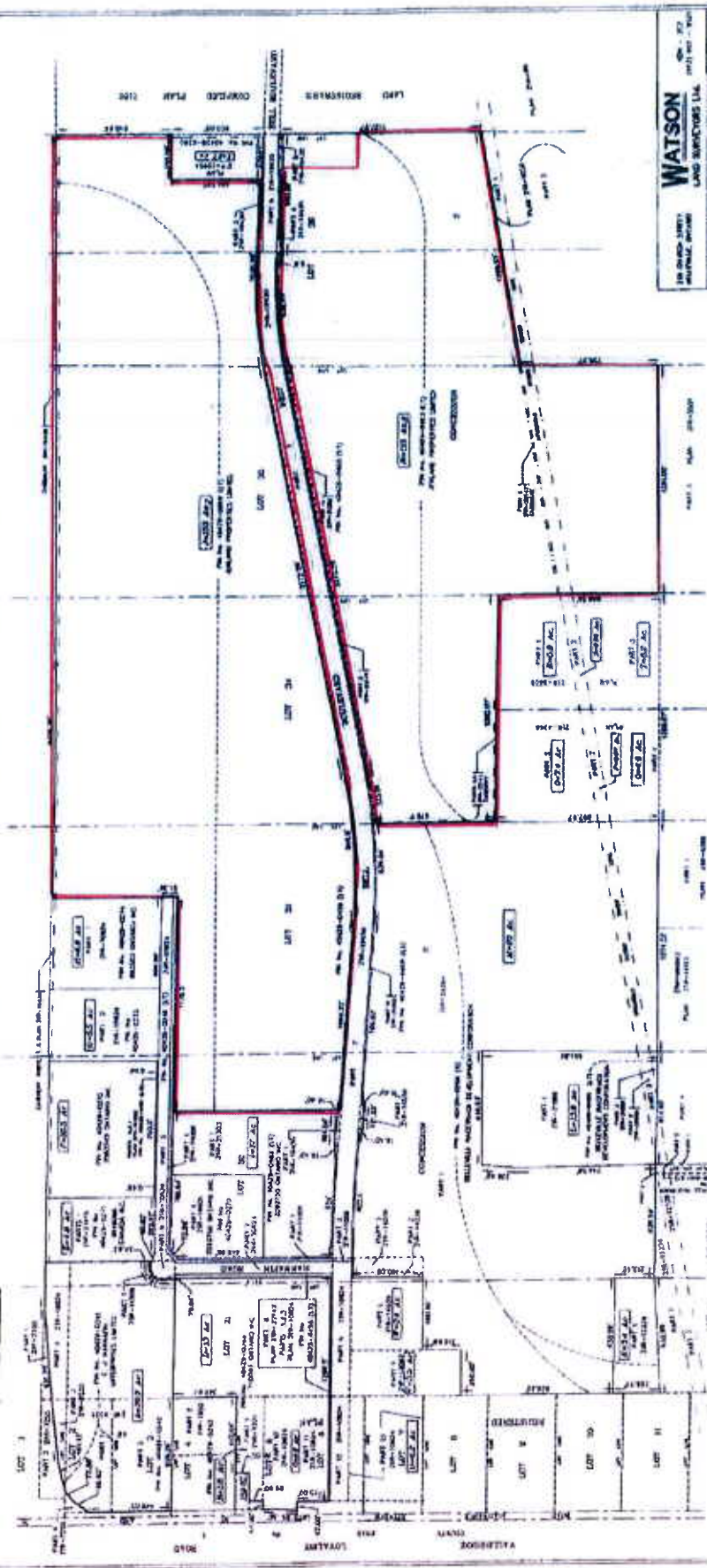
SHOWING  
 PART OF LOTS 1, 2, 3, 4, 5 AND 6  
 REGISTERED PLAN 49 AND  
 PART OF LOTS 31, 32, 33, 34, 35 AND 36  
 CONCESSION 2

TOWNSHIP OF SIDNEY  
 NOW IN THE  
 CITY OF BELLEVILLE  
 COUNTY OF HASTINGS

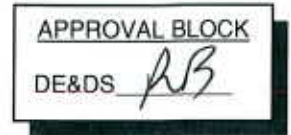
SCALE 1" = 300'

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3	19	10	54
4	19	11	54
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THE KINGS HIGHWAY No. 400



WATSON  
 LAND SURVEYORS (S.A.)  
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**CITY OF BELLEVILLE**  
Spencer Hutchison  
Manager, Approvals Section  
Engineering and Development Services Department  
Report No. APS-2012-32  
September 4, 2012

**To:** Belleville Planning Advisory Committee

**Subject:** Proposed Amendment to Zoning By-Law Number 10245, as Amended  
68 & 76 College Street East, City of Belleville, County of Hastings  
APPLICANT/OWNER: Domenico, Fiorina & Elisabetta Rapino  
AGENT: RFA Planning Consultant Inc.

**File:** B-77-922

**Recommendation:**

"THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-Law Number 10245, as amended, for the properties described as 68 and 76 College Street East, City of Belleville, County of Hastings, be APPROVED, as follows:

That Zoning By-Law Number 10245, as amended, be amended by rezoning the subject lands from 'R6-10 – Residential Sixth Density' and 'R2 – Residential Second Density' to a special R6 zone with an 'h' holding symbol to permit the construction of a three (3) storey fifteen (15) unit condominium building. The 'h' symbol shall require that the properties be merged on title, as well as other condominium approval conditions, before development is permitted to occur."

**Background:**

At the August 7, 2012 Planning Advisory Committee (PAC) meeting, the Committee held a Public Meeting to consider a rezoning application to allow a new 3-storey 15-unit apartment building to be constructed at 68 & 76 College Street East.

During the meeting, the Committee heard from property owners along the south side of Donald Street whose properties abut the subject lands. Questions were raised about landscaping and the possible removal of trees that are currently located along the northern property line of the subject lands.

As a result, the Committee deferred making a decision on this application pending further information on the landscaping situation.

**Site Plan:**

City Staff along with the Owner's agent have visited the subject lands and have taken pictures of the current situation at the north end of the subject lands. In addition, a revised site plan drawing has been submitted. The revised Site Plan is attached as **APPENDIX 1**.

This site plan shows a row of existing trees along the north property which are to be replaced and supplemented by the planting of additional trees. The existing walnut tree, at the rear of the property, adjacent to 107 Donald Street is to be retained.

To the north of the proposed second apartment building, a large maple and a large oak tree will be retained and several new trees planted.

There is a significant landscaped area at the northwest corner of the abutting school yard. This landscaped area is not under the control of the applicant and is maintained at the discretion of the School Board.

Lastly, along the developed sections of the northern and western property lines of the subject lands is a six foot high wooden privacy fence. This fence would be extended eastward to the northeast corner of the subject lands if the second apartment building is constructed.

Thus, while some of the existing vegetation in the northeast corner of the subject lands would be removed as part of this redevelopment proposal, there will be sufficient landscaping provided including new and existing trees along with a privacy fence to maintain the privacy of the properties abutting the subject lands to the north along Donald Street and to ensure adequate buffering.

It is also noted that the proposed 3 metre rear yard setback for the garages complies with zoning.

**Photographs:**

Attached as **APPENDICES 2 to 4** are three photographs taken at the rear of the subject lands the week of August 6, 2012.

**APPENDIX 2** is a photograph looking directly north from the existing parking lot at the rear of the subject lands. As can be seen the existing privacy fence along with the existing trees help buffer the two properties. The walnut tree that is to be retained is shown at the right side of the photo. In addition, as was noted previously, additional trees are to be planted along the northern property line.

**APPENDIX 3** is a photograph looking in a northwesterly direction from the existing parking lot and shows the existing trees and privacy fence along the northern and western property lines. In addition, as was noted above, additional trees are to be planted along the northern property line.

**Photographs** (cont'd):

**APPENDIX 4** is a photograph looking easterly along the northern property line showing the existing parking lot, the grass landscaped strip and on the left side of the photograph, the existing privacy fence and trees. In the background, to the right, is the vegetation that will be removed when the parking lot is extended eastward to serve the second apartment building. However, the landscaping strip, privacy fence and trees will be maintained adjacent to the northern property line to continue to provide a buffer for the properties to the north.

**Site Plan Process:**

According to the City's Site Plan Control By-law, any further development or construction on the subject lands would require the submission to, and approval by the City, of a site plan. Furthermore, the Planning Act states that "As a condition to the approval of site plans and drawings, the city may require the owner of the land to provide to the satisfaction of and at no expense to the municipality the following:

Walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining lands."

Thus, through the site plan process the City can ensure that the landscaping shown on **APPENDIX 1** is implemented. The Owner would have to post financial security to ensure this work is done.

**Financial:**

All of the planning, engineering, survey and legal costs to facilitate the development of the subject lands will be at the Owner's expense.

**Summary:**

In summary, Staff believe that based on recent fieldwork and the proposed site plan submitted by the Owner's agent that the concerns of the abutting property owners on Donald Street have been addressed and that the development of the subject lands can coexist with the abutting residential uses. As a result, Staff recommend the approval of the requested Zoning By-law Amendment for the subject lands.

Respectfully submitted.



Spencer Hutchison/MG  
attachments



# APPENDIX 1

## Revised Site Plan for Subject Lands





**APPENDIX 2**

**Photo – Looking North**



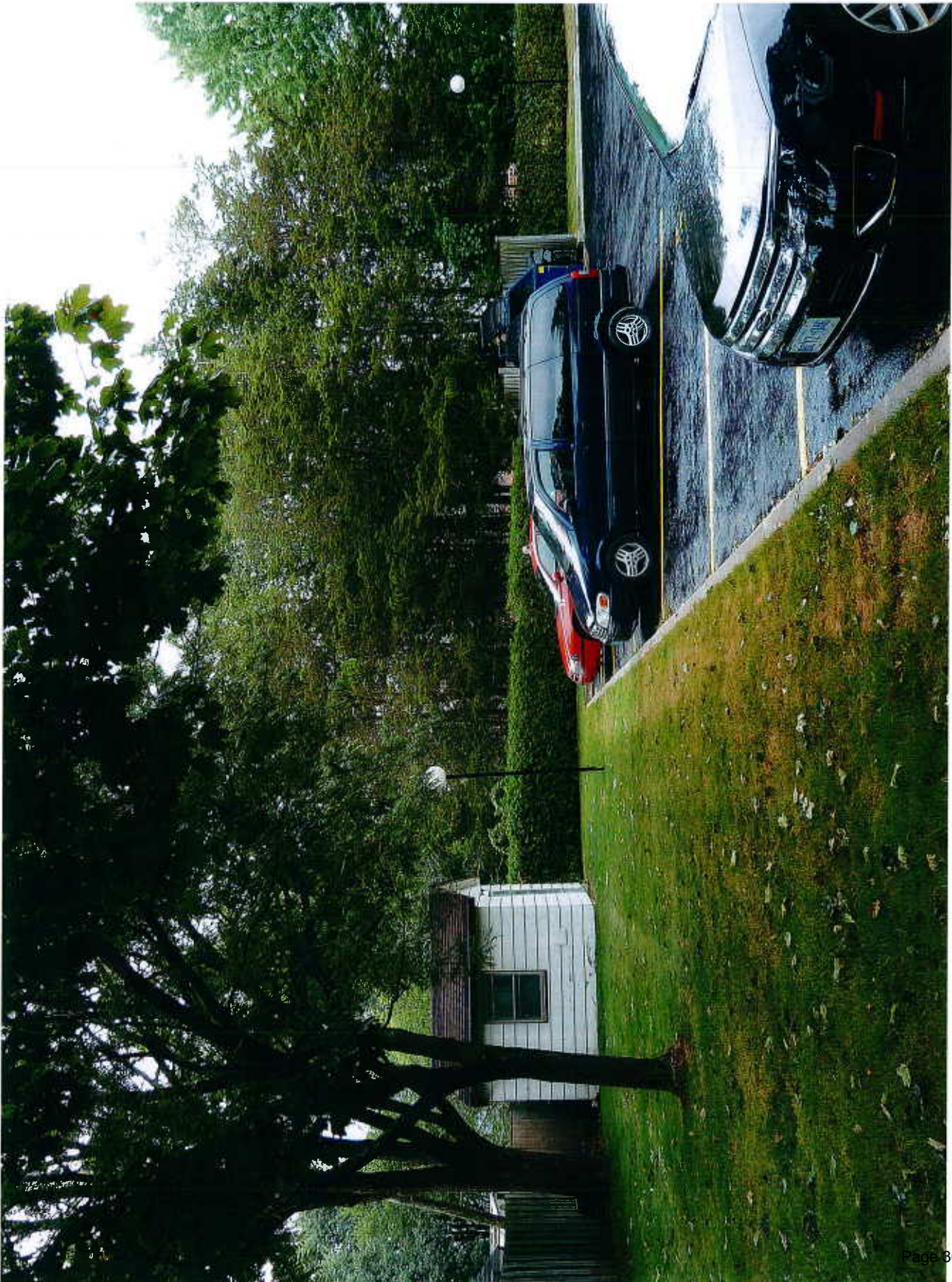
**APPENDIX 3**

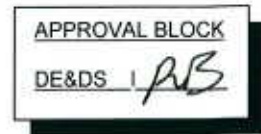
Photo – Looking Northwest



**APPENDIX 4**

**Photo – Looking East**





**CITY OF BELLEVILLE**  
**ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT**  
**PLANNING SECTION**  
**Arthur MacKay, Manager of Policy Planning**  
**Report No. AM-2012-23**  
**September 4, 2012**

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

**Subject:** Request for Exemption from Condominium Review  
Request for Condominium Conversion  
Proposed Plan of Condominium  
68 & 76 College Street East  
File Number: B-75-777  
APPLICANT: DOMENIC RAPINO  
AGENT: RFA PLANNING CONSULTANT INC.

**Recommendation:**

"THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville the following:

1. That, pursuant to Section 9(3)(b) of the Condominium Act, 1998, the Council of the Corporation of the City of Belleville approve the request for an exemption from condominium review for lands owned by Domenico, Fiorina and Elisabetta Rapino, known municipally as 68 & 76 College Street East in the City Of Belleville; and,
2. THAT the Plan of Condominium (File No. B-75-777) for the lands identified in Recommendation No. 1 be granted final approval;
3. THAT the Manager of Approvals be authorized to stamp and sign the final plans provided that the Owner has satisfied all City requirements and the surveyor's condominium plans are satisfactory to Approvals staff; and,

4. THAT Recommendations No. 1 and No. 2 be subject to: a) the rezoning of the subject lands to allow the proposed development; b) the approval of a Site Plan pursuant to Section 41 of the Planning Act by the City for the development of the subject lands; and, c) the merging on title of the two properties at 68 & 76 College Street East."

**BACKGROUND:**

As the Committee will recall, this matter was deferred at the August 7, 2012 meeting pending the Applicant providing further information on landscaping for the proposed 15 unit apartment building. Subsequently, the Applicant has submitted a revised site plan for the purpose of addressing those concerns (see Report No. APS-2012-32).

Subject to the Committee being supportive of these modifications, the above referenced Recommendation is offered for consideration.

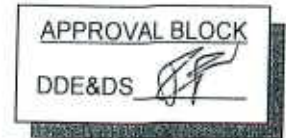
For the Committee's benefit, Report No. APS-2012-26, provided at the August 7, 2012 meeting, is also attached.



---

Arthur MacKay  
Manager of Policy Planning

atta



**CITY OF BELLEVILLE**  
Spencer Hutchison  
Manager, Approvals Section  
Engineering and Development Services Department  
Report No. APS-2012-26  
August 7, 2012

**To:** Belleville Planning Advisory Committee

**Subject:** Request for Exemption from Condominium Review  
Request for Condominium Conversion  
Proposed Plan of Condominium  
68 & 76 College Street East  
APPLICANT: Domenico Rapino  
AGENT: RFA Planning Consultant Inc.

**File:** B-75-777

**Recommendation:**

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

1. That, pursuant to Section 9(3)(b) of the Condominium Act, 1998, the Council of the Corporation of the City of Belleville approve the request for an exemption from condominium review for lands owned by Domenico, Fiorina and Elisabetta Rapino, known municipally as 68 & 76 College Street East in the City Of Belleville; and,
2. THAT the Plan of Condominium (File No. B-75-777) for the lands identified in Recommendation No. 1 be granted final approval;
3. THAT the Manager of Approvals be authorized to stamp and sign the final plans provided that the Owner has satisfied all City requirements and the surveyor's condominium plans are satisfactory to Approvals staff; and,
4. THAT Recommendations No. 1 and No. 2 be subject to: a) the rezoning of the subject lands to allow the proposed development; b) the approval of a Site Plan pursuant to Section 41 of the Planning Act by the City for the development of the subject lands; and, c) the merging on title of the two properties at 68 & 76 College Street East.

**Background:**

As shown on **APPENDIX 1** attached, the two properties that are subject to this application are located on the north side of College Street East at St Charles Street. Currently on the property at 68 College Street East is a 2½-storey 18-unit apartment building while on the property at 76 College Street East is a single detached dwelling.

The Owner has submitted a preliminary concept plan to demolish the single detached dwelling and construct a new 3-storey 15-unit apartment building in its place. At the same time it is proposed that the two properties would be merged and the existing apartment building would be converted to a condominium and the new building would also be owned as a condominium.

Attached as **APPENDIX 2** is a proposed plot plan showing the two proposed apartment buildings.

A formal site plan application has not yet been submitted for the new building.

In overview, this application is not about changing the use of the existing apartment building on the western part of the subject lands but rather about changing the type of tenure. The existing and proposed buildings and the merged property will still be used for apartment type dwelling units, the question being are these units rented or owned by the occupants.

The City's Condominium Exemption Policy requires that the development comply with the Official Plan and Zoning By-law; that a site plan agreement is in place; and that a building permit has been issued.

In terms of the City's 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.

**Analysis:**

In terms of the subject lands and the existing apartment building located thereon, it is felt that it would be appropriate to consider the conversion of this property. Moreover, the present site amenities and services would not hinder the conversion process.

**Analysis** (cont'd):

With regard to existing vacancy rates, Table 1 below summarizes the apartment vacancy rate in Belleville over the last two years. During this period of time the vacancy rate has hovered around 3.5%. Generally a minimum vacancy rate of 3% is desirable to provide some flexibility in the rental market.

**Table 1:** Vacancy Rates in Belleville – as determined by CMHC

Unit Type	Date	
	April 2011	April 2012
Bachelor	n/a	n/a
1 bedroom	4.2	3.6
2 bedroom	3.2	3.3
3 bedroom	0.7	4.4
<b>Total</b>	3.5	3.6

In terms of making arrangements for addressing the needs of, or the impact upon existing residents of the building, 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 apartment dwelling for the existing tenant.

Thus, if approval is given to convert an existing apartment building into condominium units, a tenant residing in an 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.

The specific details of development will be established through the site plan review and approval process. Thus issues like access, road widening, servicing and stormwater management, etc. will be determined at that stage. A servicing design report has been submitted in support of this application.

The City's Condominium Exemption Policy requires that the development comply with the Official Plan and Zoning By-law; that a site plan agreement is in place; and, that a building permit has been issued.

The Owner has a concurrent application in to amend the zoning of the subject lands and it is recommended that approval for the plan of condominium be conditional on the approval of the rezoning application, the approval of site plan drawings and a site plan agreement by the City and the merging on title of the properties at 68 and 76 College Street East.

Public input has been provided by the processing and review of the rezoning application. To date, no comments from the public have been received by City Staff.



**Analysis (cont'd):**

Thus, the Owner's request will meet the City's exemption policy and there are no planning or engineering reasons why the development of this property cannot move directly to final condominium approval.

**Financial:**

All of the planning, engineering, survey and legal costs to facilitate the development of the subject lands will be at the Owner's expense. The applicant paid a fee for the application for approval of a plan of condominium.

**Summary:**

Section 9(3)(b) of the Condominium Act permits the City of Belleville to exempt a proposed condominium from review and allow the condominium to proceed directly to the final approval stage. It is felt that the request for exemption for the new apartment building and for the existing apartment building on the subject lands would meet the requirements set out in the City's Exemption Policy and Official Plan.

Therefore, Staff have no objection to the Owner's request for an exemption from Condominium Review for this proposed development and recommend that the development of the subject lands move straight to final condominium approval subject to:

1. the rezoning of the subject lands to allow the proposed development;
2. the approval of a Site Plan pursuant to Section 41 of the Planning Act by the City for the development of the subject lands;
3. the merging on title of the properties at 68 and 76 College Street East.

Respectfully submitted.

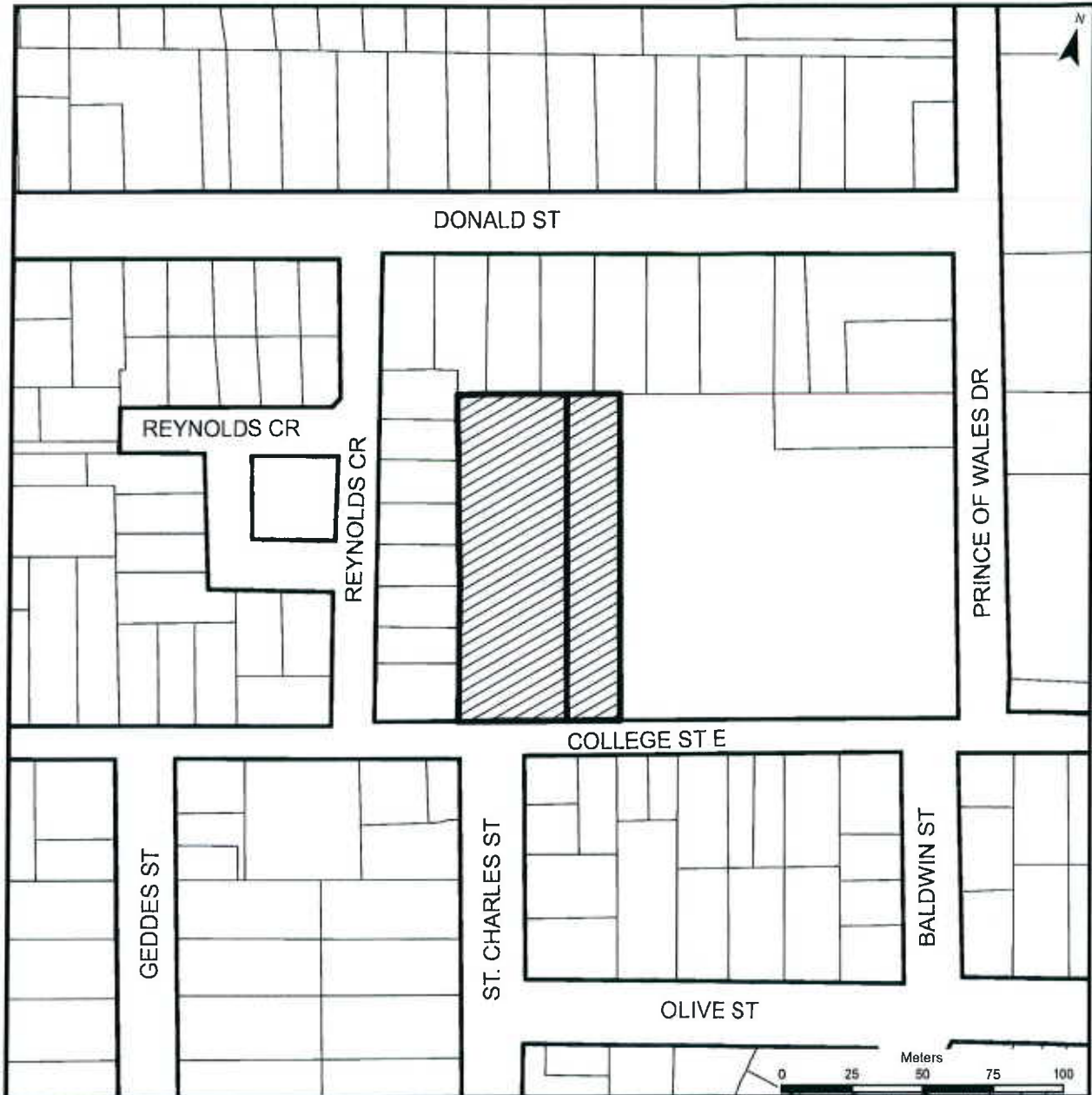


Spencer Hutchison/MG  
attachments



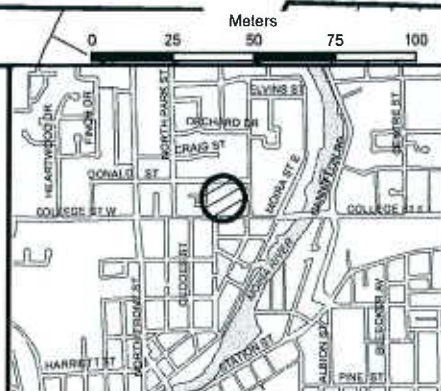
**APPENDIX 1**

**Location of Subject Property**



**LOCATION  
MAP**

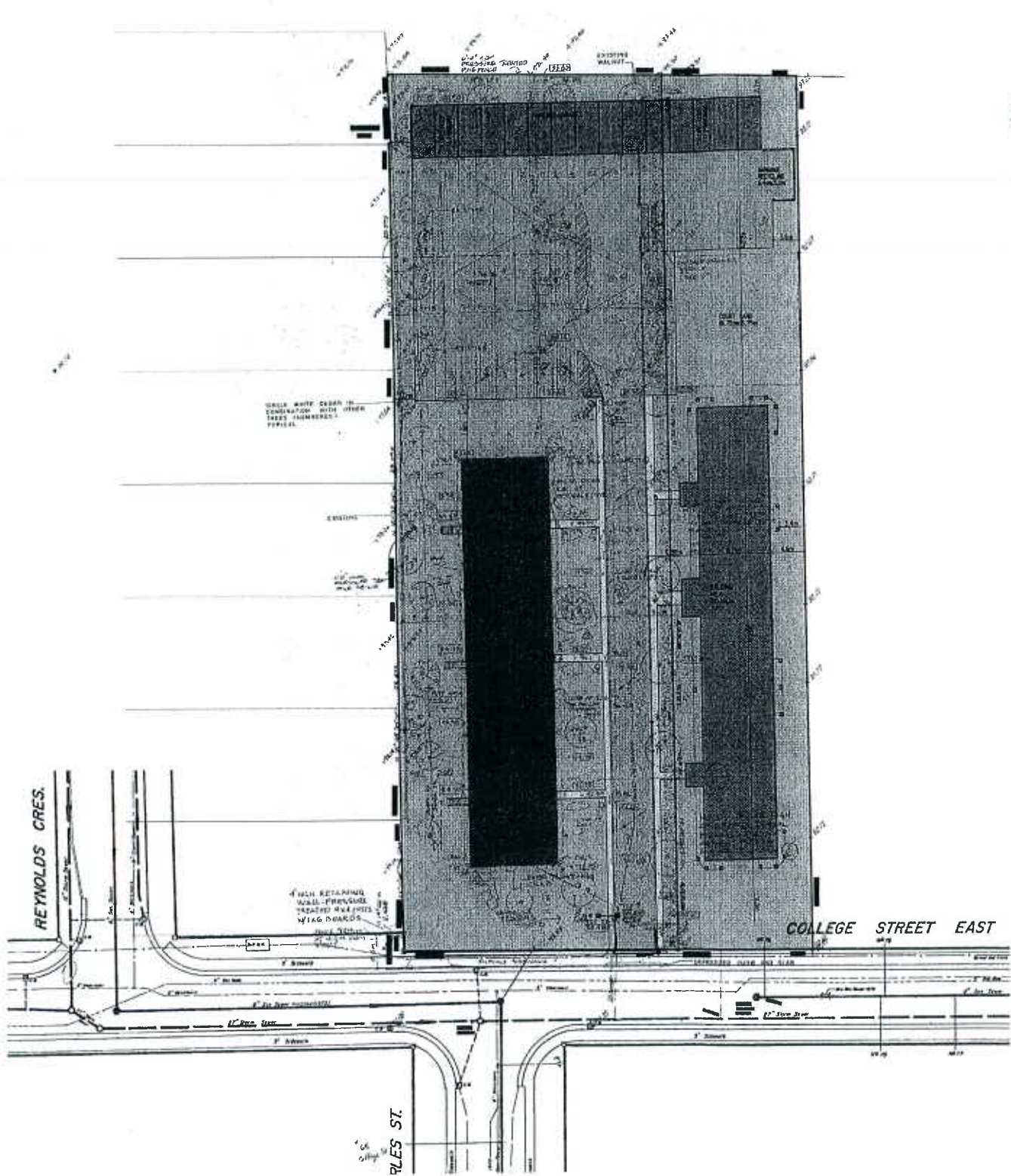
**68-76 COLLEGE ST E**



**CITY OF BELLEVILLE**  
 ENGINEERING & DEVELOPMENT  
 SERVICES DEPARTMENT

**APPENDIX 2**

**Preliminary Plot Plan for Subject Lands**





APPROVAL BLOCK  
DE&DS *RS*

**CITY OF BELLEVILLE**  
**ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT**  
**PLANNING SECTION**  
**Arthur MacKay, Manager of Policy Planning**  
**Report No. AM-2012-22**  
**September 4, 2012**

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

**Subject:** City Centre Intensification Plan

**Recommendation:**

"THAT the Manager of Policy Planning's Report No. AM-2012-22 regarding the City Centre Intensification Plan be received."

**BACKGROUND:**

As the Committee will recall, at the last Meeting Ruth Ferguson Aulhouse of RFA Planning Consultant Inc. provided to the Committee copies of her City Centre Intensification Plan Report, as well as an overview of its contents. Subject to the Committee's concurrence, it is Staff's intention to take the draft policies to a Public Meeting at the next Committee Meeting for incorporation into the Official Plan.

Ms. Ferguson Aulhouse will be in attendance at the September 4 Meeting and has asked if the Committee has any additional comments or concerns before finalizing the draft Official Plan policies.

*Arthur MacKay*  
\_\_\_\_\_  
Arthur MacKay  
Manager of Policy Planning

**ENGINEERING AND DEVELOPMENT SERVICES DEPARTMENT  
PLANNING SECTION  
OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT MONITORING REPORT**

FILE NO.	DATE REC'D	APPLICANT/OWNER/AGENT	PROPOSAL	STATUS
B-77-874	Nov 4/09	First Pentecostal Church of Greater Belleville P. John Halloran	Station Street & Farley Avenue Zoning By-Law amendment to modify existing uses	Public Mtg: Dec 7/09 Planning Report: Dec 7/09 PAC Decision: Denied Appealed by Applicant to OMB Jan 13/10 Minutes of Settlement agreed to between Applicant & City OMB Settlement Hearing May 14/12 Zoning B/L to Council June 25/12 Council Approved: June 25/12 Waiting for Clerk's Certificate
B-77-887	Sept 1/10	Geertsma Homes Ltd. RFA Planning Consultant Inc. 1472543 Ontario Inc.	Cannifton Road & Tank Farm Road, Thurlow Official Plan, Zoning By-Law amendment & proposed Plan of Subdivision to permit 23 single detached residential lots by registered plan of subdivision	Public Mtg: Feb 7/11 Planning Report: Feb 7/11 PAC Decision: Approved Council: Feb 14/11 Deferred PAC Mtg: Apr 4/11 PAC Mtg: Jun 6/11 - PAC Decision Approved Council: Jun 13/11 Tabled Council Approved: Jun 27/11 Appealed to OMB Aug 10/11
B-77-915	May 2/12	Monty Smith Ron Anderson	South Front Street Zoning By-Law amendment to allow 2-unit residential dwelling	Public Mtg: June 4/12 Planning Report: June 4/12 PAC Decision: Application 'on hold' pending further info

**ENGINEERING AND DEVELOPMENT SERVICES DEPARTMENT  
PLANNING SECTION  
OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT MONITORING REPORT**

<b>FILE NO.</b>	<b>DATE REC'D</b>	<b>APPLICANT/OWNER/AGENT</b>	<b>PROPOSAL</b>	<b>STATUS</b>
B-77-916	May 2/12	GCL Developments Ltd. RFA Planning Consultant Inc.	<i>Valleyview Crescent</i> Official Plan & Zoning By-Law amendment to allow 17 townhouse units	Public Mtg: July 3/12 Planning Report: July 3/12 PAC Decision: Approved Council Approved: Aug 13/12 Appeal Date: Sept 4/12
B-77-918	May 24/12	Richard Sheridan Watson Land Surveyors Ltd.	<i>499 Airport Parkway, Thurlow</i> Zoning By-Law amendment to allow the severance of a surplus farm dwelling	Public Mtg: July 3/12 Planning Report: July 3/12 Council Approved: Aug 13/12 Appeal Date: Sept 4/12
B-77-920	June 5/12	Teddington Limited Stephen Hyndman	<i>26 Colborne Street</i> Official Plan & Zoning By-Law amendment to allow 97 unit, 15 storey, apartment building	Public Mtg: Aug 7/12 Council Approved: Aug 13/12 Appeal Date: Sept 4/12
B-77-921	July 4/12	Shady Ridge Stock Farms Inc.	<i>West of Windwhisper Drive, Thurlow</i> Official Plan & Zoning By-Law amendment to permit a portion of the site to be developed with a total of 38 single detached dwellings by registered Plan of Subdivision (expansion of Phase 2 - Hearthstone Ridge subdivision)	Public Mtg: Aug 7/12 Requires Council approval
B-77-922	July 6/12	Domenico Rapino Domenico & Fiorina Rapino Domenico & Elisabetta Rapino RFA Planning Consultant Inc.	<i>68 &amp; 76 College Street East</i> Zoning By-Law amendment to permit construction of a 3 storey, 15 unit condominium apartment building	Public Mtg: Aug 7/12 PAC Decision: Deferred
B-77-923	June 19/12	Cloverbell Developments Ltd. & 1255437 Ontario Inc. John Halloran	<i>Millennium Parkway</i> Zoning By-Law amendment to allow additional casino use	Public Mtg: Sept 4/12
B-77-924	July 23/12	Jenland Properties Limited Ainley Group	<i>4422 &amp; 4439 Bell Boulevard</i> Zoning By-Law amendment to allow additional casino use	Public Mtg: Sept 4/12

ENGINEERING AND DEVELOPMENT SERVICES DEPARTMENT  
 PLANNING SECTION  
 OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT MONITORING REPORT

FILE NO.	DATE REC'D	APPLICANT/OWNER/AGENT	PROPOSAL	STATUS
B-77-925	Aug 27/12	Bellezar Investments Ltd. Chadwin and Company Limited	<i>Bell Boulevard</i> Official Plan & Zoning By-Law amendment to allow additional casino use	Public Mtg: Oct 1/12