BELLEVILLE PLANNING ADVISORY COMMITTEE

AGENDA

AUGUST 5, 2014

5:30 P.M.

COUNCIL CHAMBER

Starting <u>Page No.</u>

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 2076-80, AS AMENDED, – PARTS 1 AND 2, PLAN 21R-23868, PART OF LOT 36, CONCESSION 2, TOWNSHIP OF SIDNEY, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS FILE NUMBER: B-77-962 APPLICANT/OWNER: TULIP DEVELOPMENT CORP. AGENT: MCINTOSH PERRY CONSULTING ENGINEERS LTD., C/O GREG NEWMAN

Notice of Meeting and Map

3.2 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 2076-80, AS AMENDED, – 773 BELL BOULEVARD, CITY OF BELLEVILLE, COUNTY OF HASTINGS FILE NUMBER: B-77-963 <u>APPLICANT/OWNER: SHADY RIDGE STOCK FARMS INC.</u>

Notice of Meeting and Map

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3.3 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED, – 10 EARL STREET, CITY OF BELLEVILLE, COUNTY OF HASTINGS FILE NUMBER: B-77-965 APPLICANT: KRISTIAN BONN OWNER: TAMMY TALBOT AGENT: CENTURY 21/LANTHORN REAL ESTATE LTD., C/O TOM MCEVOY

Notice of Meeting and Map

4. ADJOURNMENT

<u>6</u>

BELLEVILLE PLANNING ADVISORY COMMITTEE

AGENDA

AUGUST 5, 2014

5:30 P.M.

COUNCIL CHAMBER

Starting Page No.

PLANNING ADVISORY COMMITTEE MEETING

1. ATTENDANCE

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

2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

3. CONFIRMATION OF MINUTES

- 3.1 Minutes of the City Council Planning Committee Meeting and Planning Advisory Committee Meeting held on July 7, 2014
- 4. **DEPUTATIONS**

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5. COMMUNICATIONS

- 5.1 July 21, 2014 correspondence from Brian and Lucille Hodgins regarding Zoning Amendment Application B-77-965 Referrals from Public Meeting 6.3 refers
- 5.2 July 21, 2014 correspondence from Edward Graves regarding Zoning Amendment Application B-77-965 Referrals from Public Meeting 6.3 refers

6. REFERRALS FROM PUBLIC MEETING

6.1 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 2076-80, AS AMENDED, – PARTS 1 AND 2, PLAN 21R-23868, PART OF LOT 36, CONCESSION 2, BELL BOULEVARD, CITY OF BELLEVILLE, COUNTY OF HASTINGS FILE NUMBER: B-77-962 APPLICANT/OWNER: TULIP DEVELOPMENT CORP. AGENT: MCINTOSH PERRY CONSULTING ENGINEERS LTD., C/O GREG NEWMAN

Manager of Policy Planning's Report No. PP-2014-24

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 Bylaw Number 2076-80, as amended, for Parts 1 and 2, Plan 21R-23868, Part of Lot 36, Concession 2, City of Belleville, County of Hastings, be <u>APPROVED</u> 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 deleting the permitted industrial uses, modifying the permitted highway commercial uses and reducing the required number of parking spaces and loading spaces." <u>12</u>

6.2 AMENDMENT TO PROPOSED ZONING **BY-LAW** NUMBER 2076-80. AS AMENDED, BELL _ 773 BOULEVARD, CITY OF BELLEVILLE, COUNTY OF HASTINGS FILE NUMBER: B-77-963 APPLICANT/OWNER: SHADY RIDGE STOCK FARMS INC.

Manager of Policy Planning's Report No. PP-2014-25

<u>20</u>

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 Bylaw Number 2076-80, as amended, for 773 Bell Boulevard, City of Belleville, County of Hastings, be <u>APPROVED</u> as follows:

THAT Zoning By-law Number 2076-80, as amended, be amended by modifying the provisions of the 'CH-9/MS – Highway Commercial/Special Industrial' zone by adding a medical clinic as a permitted use and incorporating special provisions to accommodate a shared driveway access."

6.3 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED, – 10 EARL STREET, CITY OF BELLEVILLE, COUNTY OF HASTINGS FILE NUMBER: B-77-965 APPLICANT: KRISTIAN BONN OWNER: TAMMY TALBOT AGENT: CENTURY 21/LANTHORN REAL ESTATE LTD., C/O TOM MCEVOY

Manager of Policy Planning's Report No. PP-2014-26

<u>26</u>

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 Bylaw Number 10245, as amended, for 10 Earl Street, City of Belleville, County of Hastings, be <u>APPROVED</u> as follows: THAT Zoning By-law Number 10245, as amended, be amended by rezoning the subject land from 'R4-Residential Fourth Density' to a special 'C2-General Commercial' zone to permit the land to be used as a parking area in association with the commercial building located at 54 North Front Street.."

7. **REPORTS**

8. INFORMATION MATTERS

8.1 OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT MONITORING REPORT

Report to August 5, 2014

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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, AUGUST 5, 2014 AT 5:30 P.M.

A Public Meeting will be held to consider an amendment to Zoning By-Law Number 2076-80, as amended. The application pertains to a 2.5 hectare vacant parcel of land located on the south side of Bell Boulevard. It is the Applicant's intention to develop the site with a mixed commercial/office development comprising six (6) buildings totaling approximately 9,900 square metres of area. The land is zoned "CH-25/MS-H – Highway Commercial/Special Industrial-Holding" and the Applicant requests a change to the zoning by removing the industrial uses currently permitted, as well as extensively modifying the range of commercial and retail uses presently allowed. In addition, the Applicant requests a reduction by approximately 14 percent in the number of parking spaces required, as well as relief on the number of loading spaces required.

The land is described as Parts 1 and 2, Plan 21R-23868, Part of Lot 36, Concession 2, Township of Sidney, Now in the City of Belleville, County of Hastings.

OFFICIAL PLAN:

The land is designated "Employment Area" in the Loyalist Secondary Plan. The uses requested are permitted by the policies of the Plan.

ZONING BY-LAW:

The subject land is zoned "CH-25/MS-H – Highway Commercial/Special Industrial-Holding" and the Applicant requests that the current permitted industrial uses be deleted; modifications to the existing permitted commercial uses; and, relief on minimum parking and loading requirements.

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

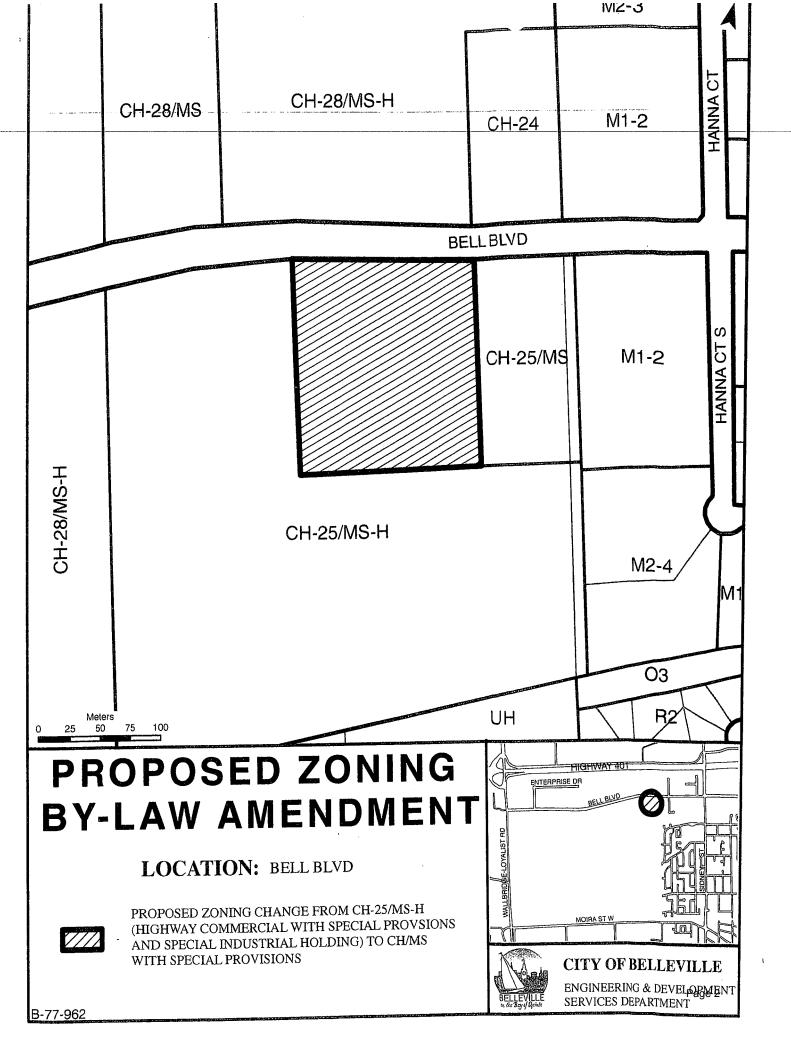
If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Belleville before the by-law is passed, the person or public body is not entitled to appeal the decision of the City of Belleville to the Ontario Municipal Board and may not be added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

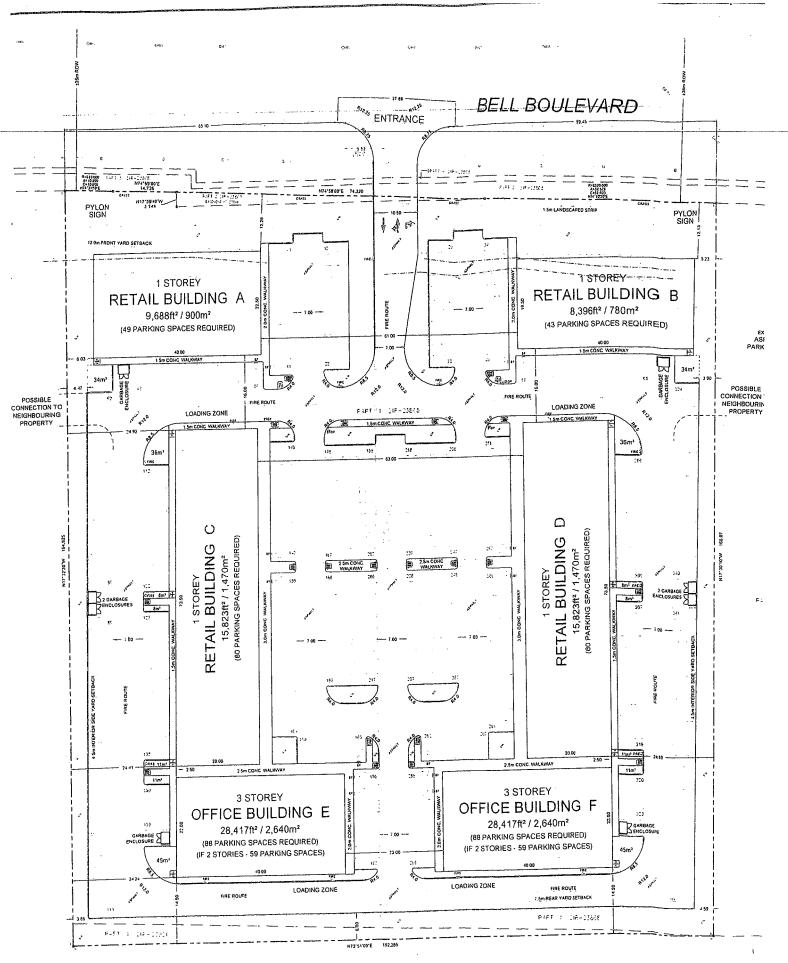
Additional information is available by contacting or visiting the Planning Section, Engineering & Development Services Department, City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3288, Fax: 613-967-3262, TTY: 613-967-3768).

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

Christine Stewart, Acting Secretary Planning Advisory Committee

DATED at the City of Belleville this 16th day of July, 2014





4.41 () (****)))

City of Belleville



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

File No.: B-77-963

PUBLIC MEETING CITY COUNCIL PLANNING COMMITTEE CITY HALL - COUNCIL CHAMBER 169 FRONT STREET TUESDAY, AUGUST 5, 2014 AT 5:30 P.M.

A Public Meeting will be held to consider an amendment to Zoning By-Law Number 2076-80, as amended. The application pertains to a 1.4 hectare parcel of land located at 773 Bell Boulevard. The Applicant requests a rezoning to permit a medical clinic which will be comprised of chiropractic, massage, physiotherapy, acupuncture, rehabilitation and conditioning. The land is zoned "CH-9/MS — Highway Commercial/Special Industrial" and the Applicant requests a modification to the zoning to allow the clinic uses which are to be housed in a proposed 464.5 square metre building. The property presently contains a commercial building which houses a fireplace retail and installation business. The site is also subject to Committee of Adjustment Severance File #B 22/14.

The land is described municipally as 773 Bell Boulevard, City of Belleville, County of Hastings.

OFFICIAL PLAN:

The land is designated "Employment Area" in the Loyalist Secondary Plan. Within this land use designation a medical clinic is a permitted use.

ZONING BY-LAW:

The subject land is zoned "CH-9/MS – Highway Commercial/Special Industrial" and the Applicant requests a modification to the existing zoning to add a medical clinic as a permitted use.

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

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

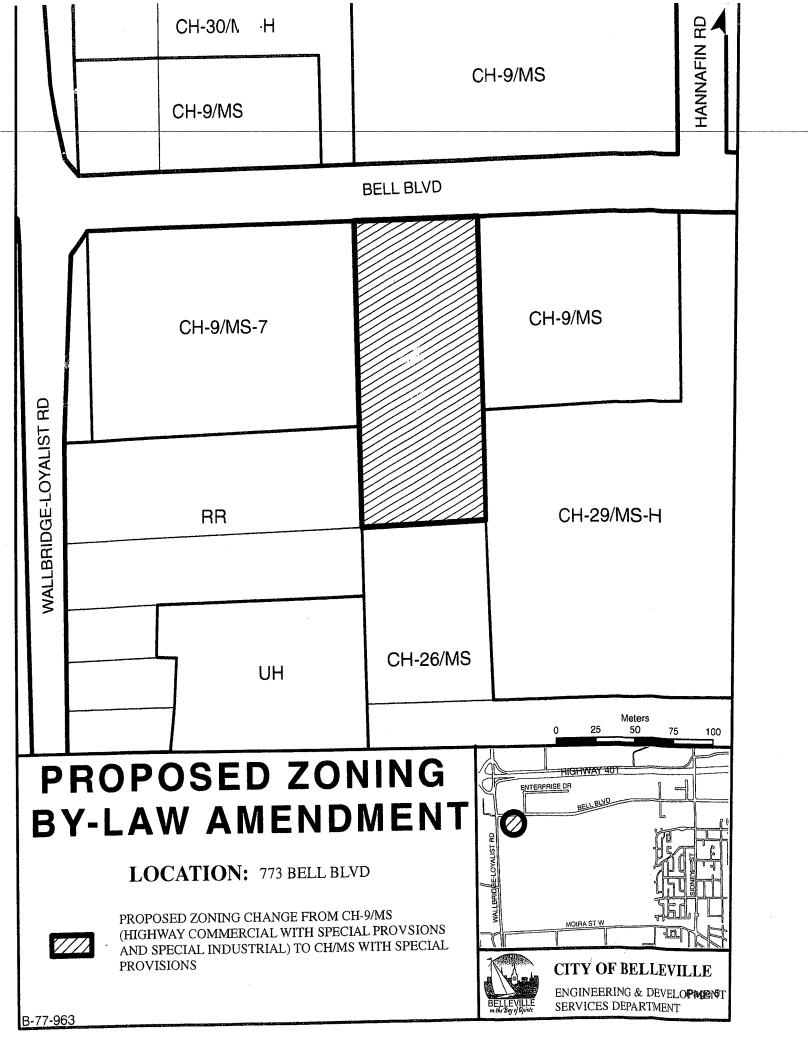
Additional information is available by contacting or visiting the Planning Section, Engineering & Development Services Department, City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3288, Fax: 613-967-3262, TTY: 613-967-3768).

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

Christine Stewart, Acting Secretary

Planning Advisory Committee

DATED at the City of Belleville this 16th day of July, 2014



City of Belleville



Engineering & Development Services Department

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

File No.: B-77-965

PUBLIC MEETING CITY COUNCIL PLANNING COMMITTEE CITY HALL - COUNCIL CHAMBER 169 FRONT STREET TUESDAY, AUGUST 5, 2014 AT 5:30 P.M.

A Public Meeting will be held to consider an amendment to Zoning By-Law Number 10245, as amended. The application pertains to a parcel of land comprising approximately 511 square metres of area that contains a single detached dwelling and a frame garage which are proposed to be removed. The site is zoned "R4 – Residential Fourth Density" and the Applicant requests a rezoning to a special "C2 – General Commercial" zone to allow the land to be utilized as a parking area for the adjacent commercial property located at 54 North Front Street.

The land is described as 10 Earl Street, City of Belleville, County of Hastings.

OFFICIAL PLAN:

The land is designated "Residential Land Use" in the Official Plan, contiguous to the "Commercial Land Use" designation. The Plan permits minor variations to land use boundaries provided the general intent of the Plan is maintained.

ZONING BY-LAW:

The subject land is zoned "R4 – Residential Fourth Density" in Zoning By-Law Number 10245, as amended. The Applicant requests a special "C2 – General Commercial" zone to permit the site to developed as additional parking to service the adjacent commercial building at 54 North Front Street.

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

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

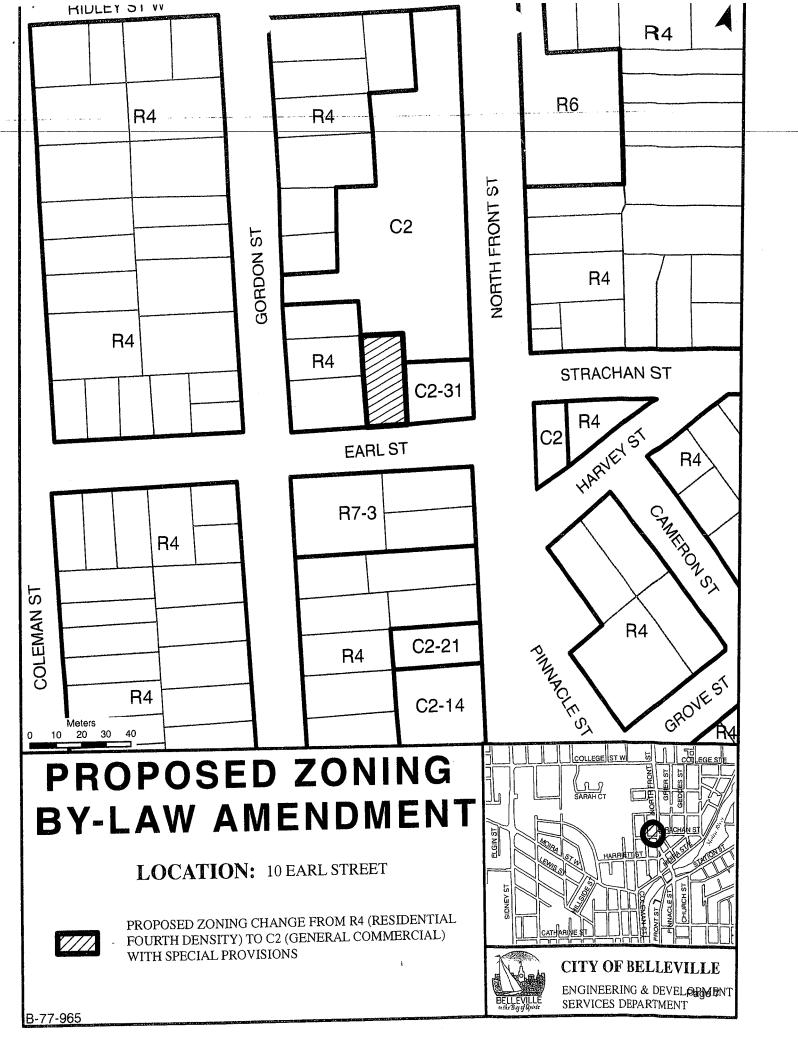
Additional information is available by contacting or visiting the Planning Section, Engineering & Development Services Department, City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3288, Fax: 613-967-3262, TTY: 613-967-3768).

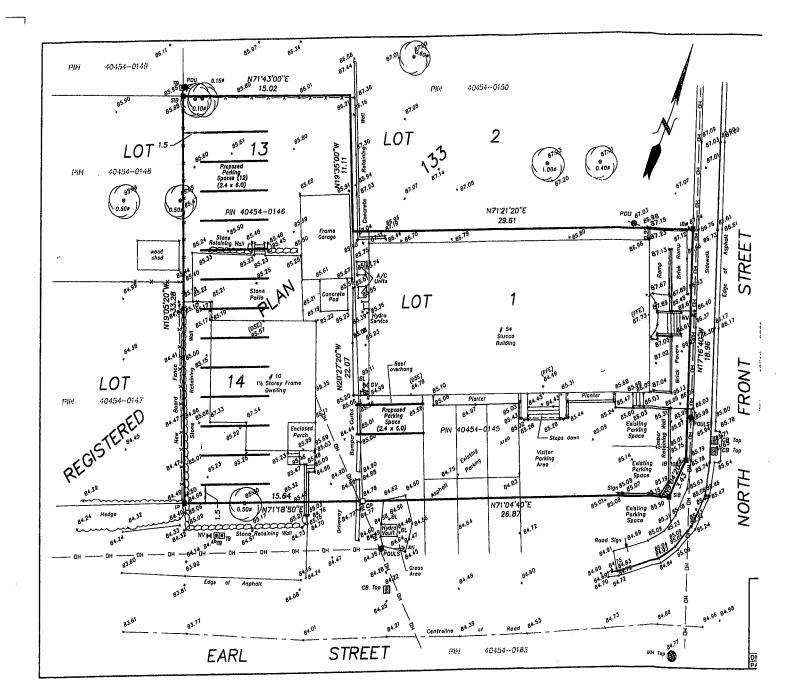
As per the requirements of the Planning Act, this application is confirmed to be complete.

Christine Stewart, Acting Secretary Planning Advisory Committee

DATED at the City of Belleville this 16th day of July, 2014

The Corporation of the City of Belleville City Hall, 169 Front Street, Belleville, Ontario, Canada K8N 2Y8 Telephone 613-968-6481 I TTY 613-967-3768 city.belleville.on.ca





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Page 8

MacKay, Art

From: Sent: <u>To:</u> Cc: Subject:

Stewart, Christine Monday, July 21, 2014 9:04 AM <u>Hutchison, Spencer; MacKay, Art</u> Bovay, Rod FW: Re Zoning of Property at 10 Earl St. -File#B-77-965

From: Brian and Lucille Hodgins [mailto:brianandlucille@hotmail.com] **Sent:** Sunday, July 20, 2014 2:22 PM **To:** Stewart, Christine **Subject:** Re Zoning of Property at 10 Earl St. -File#B-77-965

> Brian & Lucille Hodgins, 67 Gordon St., Belleville, On. K8P 3E7.

July 21, 2014.

Christine Stewart, Acting Secretary, Planning Advisory Committee, City Hall, 169 Front St., Belleville, On. K8N 2Y8.

Re: Letter Opposing Re Zoning of Property at 10 Earl St., City of Belleville, County of Hastings - File #B-77-965

Dear Christine:

In response to your letter dated July 16, 2014 we have the following concerns regarding the above Re Zoning from residential to commercial.

- (1) Putting a parking lot at the rear of our property is going to increase foot traffic and act as a thorough fare from Front St. to Earl St. which may increase the chance of vandalism and theft to our property.
- (2) Increase traffic flow (cars and delivery trucks) from Front St. to the parking lot resulting in higher noise level.
- (3) Chance of adjacent apartment building (residents & visitors) using parking lot in off hours.
- (4) Safety Hazard due to there being a School Bus pick-up and drop-off at the corner of Gordon & Earl Sts.
- (5) With the result of Re Zoning with a commercial parking lot at the rear of our property would decrease the re-sale value of our property.
- (6) The visual look of a parking lot at the rear of our property and probable removal

of all trees on the property is an additional reason for the de-valuation of our property. As we have just received this letter and with the civic holiday August 4th we only having 9 business days before the meeting to seek any legal or real estate council.

Would-you-please-respond as soon as possible to our concerns and our next step in this procedure.

Sincerely,

đ

Brian & Lucille Hodgins

From: Stewart, Christine Sent: Monday, July 21, 2014 9:04 AM To: Hutchison, Spencer; MacKay, Art Cc: Bovay, Rod Subject: FW: 10 Earl St. Rezoning

From: ED GRAVES [<u>mailto:egraves2@cogeco.ca</u>] Sent: Monday, July 21, 2014 9:02 AM To: Stewart, Christine Subject: 10 Earl St. Rezoning

Attn: Christine Stewart,

I would like to voice my concerns over the rezone of 10 Earl St. My property backs onto said property. If the rezoning goes through and a parking lot is constructed it will open my property up to the public which will intern cause me some privacy and security issues which intern would devalue my home.

If said property is rezoned I feel it would be fair if property owner would construct a 8' high wooden privacy fence and keep it maintained along the west side of the property which would put my concern at rest.

1

Mr. Edward Graves

65 Gordon St.

Belleville ON

K8P3E7

egraves2@cogeco.ca

131



APPROVAL BLOCK	
DE&DS 1 PG	

CITY OF BELLEVILLE ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT PLANNING SECTION Arthur MacKay, Manager of Policy Planning Report No. PP-2014-24 August 5, 2014

- To: Councillor Lafferty, Chair and Members of the Belleville Planning Advisory Committee
- Subject:Proposed Amendment to Zoning By-Law Number 2076-80, As Amended –
Parts 1 and 2, Plan 21R-23868, Part of Lot 36, Concession 2 Bell
Boulevard, City of Belleville, County of Hastings
File Number:B-77-962
Applicant/Owner:
TULIP DEVELOPMENT CORPORATION
Agent:

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 Parts 1 and 2, Plan 21R-23868, Part of Lot 36, Concession 2, 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 deleting the permitted industrial uses, modifying the permitted highway commercial uses and reducing the required number of parking spaces and loading spaces."

SUMMARY:

The application pertains to a 2.5 hectare vacant parcel of land located on the south side of Bell Boulevard. It is the Applicant's intention to develop the site with a mixed commercial / office development comprising six (6) buildings totaling approximately Page 12

9,900 square metres of area. The land is zoned "CH-25/MS-H – Highway Commercial/Special Industrial-Holding" and the Applicant requests a change to the zoning by removing the industrial uses currently permitted, as well as extensively modifying the range of commercial and retail uses presently allowed. In addition, the Applicant requests a reduction by approximately 14 percent in the number of parking spaces required, as well as relief on the number of loading spaces required.

In support of the application the Applicant has submitted a Planning Justification Report and Traffic Impact Study both prepared by McIntosh Perry Consulting Engineers Limited.

The land is designated "Employment Area" in the Loyalist Secondary Plan. The requested uses are permitted by the Plan.

Based on the foregoing, Planning Staff recommend that the application be approved.

BACKGROUND:

Purpose and Effect

The proposed Zoning By-Law amendment applies to a vacant commercial parcel located on the south side of Bell Boulevard.

The purpose of the application is to amend Zoning By-Law Number 2076-80, as amended, by deleting the current permitted industrial uses; modifying to the existing permitted commercial uses; and, providing relief on minimum parking and loading requirements.

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

Subject Property

• Site Characteristics

The land is currently vacant.

Adjacent Land Uses

To the north and west are development lands, including a hotel under construction on the north side of Bell Boulevard. To the south the land is wooded and to the east is a commercial use.

Official Plan

The land is designated "Employment Area" in the Official Plan which permits the requested commercial uses.

Zoning By-Law

The property is zoned "CH-25/MS-H – Highway Commercial/Special Industrial-Holding" in Zoning By-Law Number 2076-80, as amended. The Applicant has requested a rezoning to a modified CH/MS zone by deleting the permitted industrial uses and requesting the uses attached as excerpted from the submitted Planning Justification Report.

In addition the Applicant proposes 366 parking spaces versus the By-Law's requirement of 426 parking spaces, a reduction of approximately 14 percent. Relative to loading zone provisions, the By-Law would require a total of eight (8) for the proposed six (6) buildings based on total gross floor area. The Applicant requests a total of four (4) painted loading zones.

Application Circulation

• External Agency Circulation

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Hydro One, Veridian Connections, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines and Quinte Conservation on July 16, 2014.

Quinte Conservation advises that they have no concern with the rezoning.

• 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 July 16, 2014.

Fire and Emergency Services have no concerns or comments.

The Manager of Approvals advises that the development of the site will be subject to site plan approval and conformity with the master drainage plan and infiltration study.

The Intermediate Development Engineer comments as follows:

"We have no objection to the proposed Zoning By-Law Amendment. The Applicant should be advised that the property will need to be developed in accordance with the Site Plan Process which among other items will include the preparation and implementation of a Stormwater Management Report, the implementation of the traffic study, payment for cost sharing of the existing services on Bell Boulevard, meeting the City's sidewalk requirements and the provision of driveways in conformance with the City's Driveway Control By-Law No. 2001-129, all to the satisfaction of the City."

Public Circulation

Notice of the subject application was circulated to all registered owners of land within 120 metres (400 feet) of the subject property on July 16, 2014. Notice was also provided in The Intelligencer.

No comments or concerns have been received.

Planning Analysis

The requested modifications to the permitted uses are allowed by the "Employment Area" policies of the Loyalist Secondary Plan. In some instances the requested uses constitute a tweaking of the range of commercial and retail uses currently permitted. In addition, Bell Boulevard is designated in the Secondary Plan as the main arterial road which bisects the north portion of the Secondary Plan area.

In support of the application the Applicant has submitted a Planning Justification Report and Traffic Impact Study both prepared by McIntosh Perry Consulting Engineers Limited.

As identified in Planning Justification Report, the relief on parking requested is dictated by the differing provisions contained in By-Law Number 2076-80 (former Sidney Township/Quinte West) versus the parking standards of Belleville Zoning By-Law Number 10245. If the latter requirements were applied the provision of the 366 proposed parking spaces would comply with zoning.

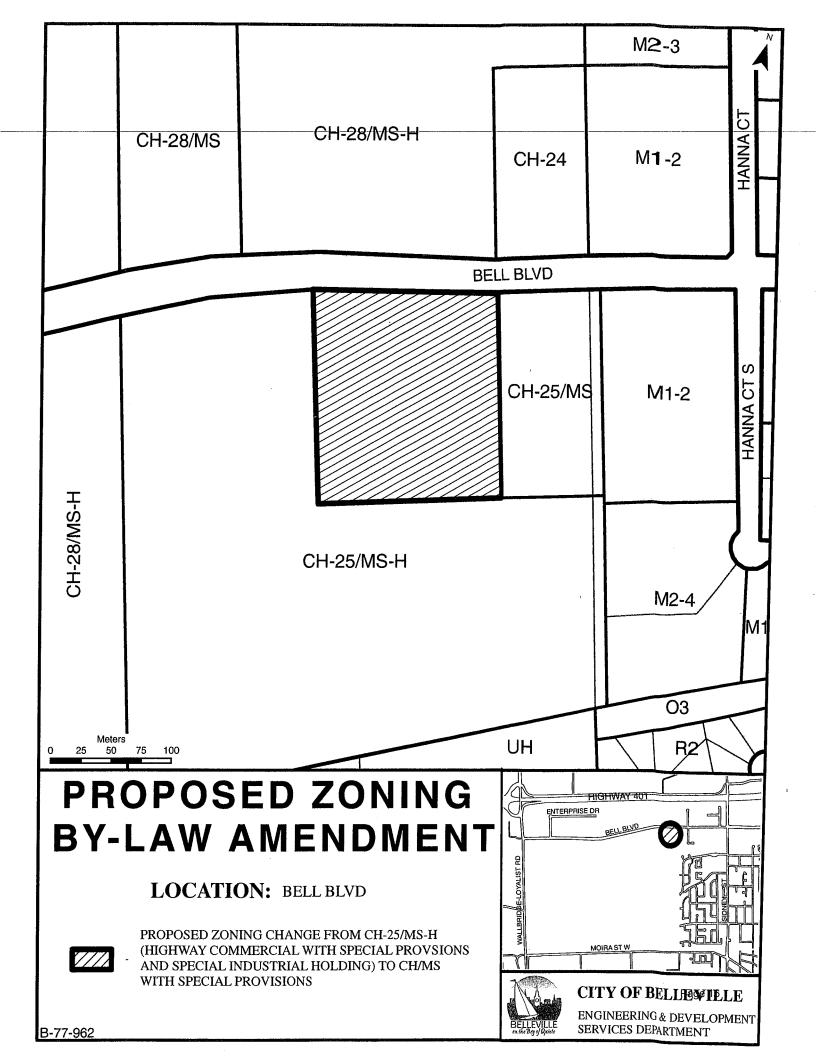
Relative to the reduction in loading spaces from eight (8) to four (4) it is argued that the uses proposed will not require the frequent movement of goods as part of their daily business operations. Deliveries will be infrequent and occur during off-peak periods. Also, the elimination of industrial uses, as requested, would lessen the frequency of goods movement.

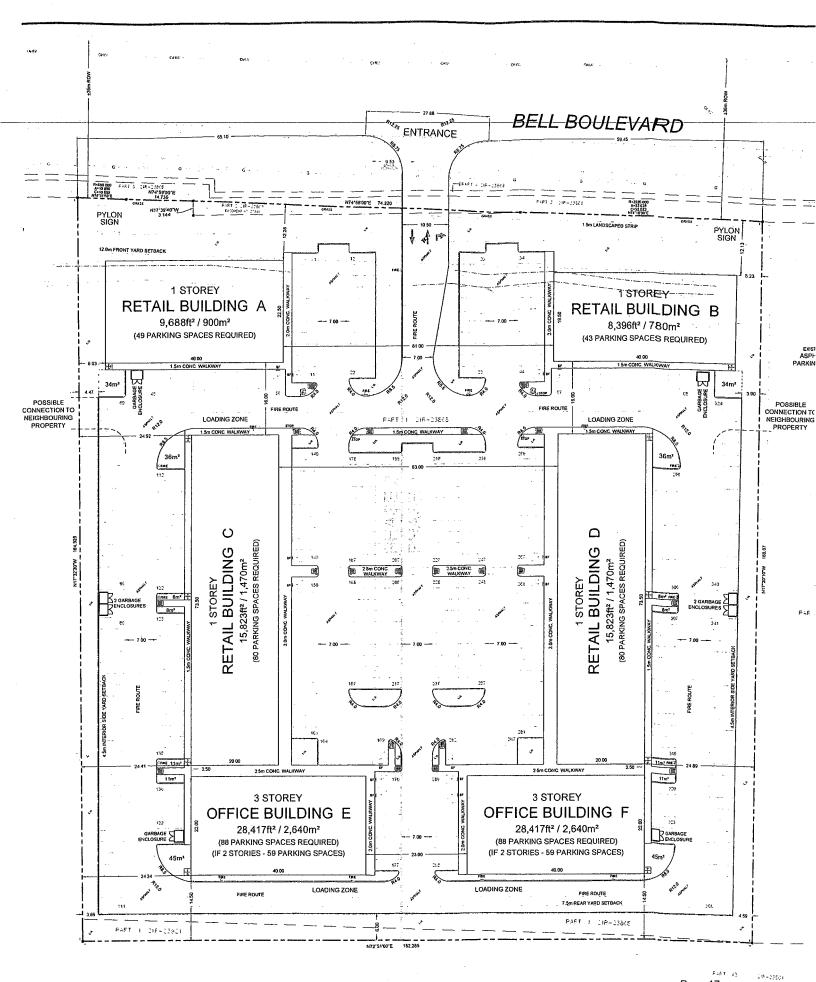
Based on the foregoing the application is recommended to be approved.

A. Mackay

Arthur MacKay Manager of Policy Planning

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CH.###

On the 2.47 ha (224,717.69m²) parcel of land, known legally as Part of Lot 36, Concession 2 within the Geographic Township of Sidney in the City of Belleville in the County of Hastings, the Highway Commercial Special Provision 25 Zone and Special Industrial Zone (CH-25/MS), as illustrated in the Schedule attached to and forming part of the Sidney By-Law, shall be repealed and superseded by a special provision CH Zone. Within the above-described 2.47 ha parcel of land, the following site-specific CH Zone regulations shall apply:

1) Notwithstanding the provisions of Section 15 to the contrary, Off-Street Parking Requirements shall be calculated as follows:

Shopping Centre

Office: < 20% of Shopping Centre – none

> 20% of Shopping Centre – 2.69 spaces / $100m^2$ GLFA in excess of the $20\%^2$

All Other Uses: 5.91 spaces / 100m² of GLFA³

- 2) Notwithstanding the provisions of Section 17 to the contrary, Off-Street Loading Requirements shall not be required on site;
- 3) Notwithstanding the provisions of Part M Section1, Permitted Uses shall include:

Currently Permitted Uses

Bank

Business and Industrial Incubator Business, Professional and/or Administrative Office⁴ Convenience Store⁵ Eating Establishment Furniture, Appliances and Interior Decoration Retail & Warehouse Operation Home Improvement / Interior Decoration Centre Monument Shop (no outside storage) Motor Vehicle Parts and Accessories Non Personal Service or Repair Operation Nursery or Garden Centre Office Supply and Equipment Sales and Service Parking Lot Places of Amusement Printing or Copy Service Rental Outlet Service Shop Wholesale Business

Additional Permitted Uses

Amusement Arcade	Liquor or Beer Store		
Art Gallery	Microbrewery or Craft Brewery		
Auditorium	Parking Structure		
Bakery	Pet-Grooming Establishment		
Bake Shop	Pet Store		
Bank or Financial Establishment	Photo or Artist Studio		
Banquet Hall	Photocopying or Blueprinting Shop		

² Equivalent to City of Belleville Zoning By-law No. 10245 - 2.5 spaces / 93m² GLFA in excess of the 20%

³ Equivalent to City of Belleville Zoning By-law No. 10245 - 5.5 spaces / 93m² of GLFA

⁴ The maximum 500m² GFA cap has been removed.

⁵ The maximum 300m² GFA cap has been removed

Beverage Room	Photofinishing Establishment
Candy Shop	Postal or Courier Service
Church or Religious Institution	Printing and Binding Establishment
Clinic	Private Social or Cultural Facility
Coin-Operated Laundry	Public Use
Commercial Club	Radio or Television Studio
Commercial Entertainment Establishment	Recreational Establishment
Commercial Establishment	Repair Service
Commercial Recreation Facility	Restaurant
Commercial School	Restaurant, Drive-In
Community or Recreation Centre	Restaurant, Outdoor Patio
Computer Programming Establishment	Restaurant, Take-Out
Craftshop	Retail Store
Data Processing Establishment	Service Establishment
Day Care Centre / Day Nursery	Service Shop, Merchandise
Department Store	Service Shop, Personal
Drugstore/Pharmacy	Shopping Centre
Dry Cleaning Distribution Station	Specialty Retail Store
Dry-Cleaning Establishment	Supermarket
Dry-Cleaning or Laundry Outlet	Tavern
Florist	Taxi Business
Food Store	Taxi Establishment
Funeral Home	Taxi Stand or Bus Station
Government Office	Telecommunication Services
Hardware Store	Theatre
Hobby Beer & Wine Making Establishments	Video Rental
Laundromat	Workshop
Library	- -

The following sections provide additional justification for the areas of requested zoning relief. Each section relates to the numbering presented above.

1) Off-Street Parking:

The Sidney By-law requires one (1) parking space for every 18.5 square metres of gross floor area or part thereof for retail uses and one (1) parking space for every 30 square metres or part thereof of gross floor area for every building or structure not specified (i.e. office) within Section 15. A total of 426 parking spaces are required for the proposed development to meet the former Township of Sidney Zoning By-law parking requirements. The proposed development will provide 366 parking spaces, resulting in a parking deficiency of 60 spaces or approximately 14 percent.

The subject lands abut the eastern boundary of the City of Belleville. As mentioned, the subject property is part of the lands designated to help meet the growth needs of the City and the proposed development is consistent with the existing commercial and industrial development along Bell Boulevard. Under City of Belleville Zoning By-law No. 10245, the proposed development requires 363 (i.e. office & retail) or 364 (i.e.



APPROVAL BLOCK DE&DS-

CITY OF BELLEVILLE ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT PLANNING SECTION Arthur MacKay, Manager of Policy Planning Report No. PP-2014-25 August 5, 2014

- To: Councillor Lafferty, Chair and Members of the Belleville Planning Advisory Committee
- Subject: Proposed Amendment to Zoning By-Law Number 2076-80, As Amended 773 Bell Boulevard, City of Belleville, County of Hastings File Number: B-77-963 Applicant/Owner: SHADY RIDGE STOCK FARMS INC.

Recommendation:

"THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-Law Number 2076-80, as amended, for 773 Bell Boulevard, City of Belleville, County of Hastings, be <u>APPROVED</u> as follows:

THAT Zoning By-Law Number 2076-80, as amended, be amended by modifying the provisions of the 'CH-9/MS – Highway Commercial/Special Industrial' zone by adding a medical clinic as a permitted use and incorporating special provisions to accommodate a shared driveway access."

SUMMARY:

The application pertains to a 1.4 hectare parcel of land located at 773 Bell Boulevard. The Applicant requests a rezoning to permit a medical clinic which will comprise chiropractic, massage, physiotherapy, acupuncture, rehabilitation and conditioning. The land is zoned "CH-9/MS – Highway Commercial/Special Industrial" and the Applicant requests a modification to the zoning to allow the clinic uses which are to be housed in a proposed 464.5 square metre building. The land is also subject to Committee of Adjustment Severance File No. B 22/14 approved by the Committee on July 10, 2014.

The property presently contains a commercial building that houses a fireplace retail and installation business which will ultimately be located on the retained land of the subject severance. The Committee of Adjustment has also granted reciprocal rights of way to accommodate a shared driveway access for both the severed and retained lots. Consequently, special provisions will be required in the zoning to address driveway and aisle widths vis-à-vis the respective parking areas that will service these parcels.

The land is designated "Employment Area" in the Loyalist Secondary Plan. Within this land use designation a medical clinic is a permitted use.

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

BACKGROUND:

Purpose and Effect

The proposed Zoning By-Law amendment applies to a commercial parcel located on the south side of Bell Boulevard.

The purpose of the application is to amend Zoning By-Law Number 2076-80, as amended, to permit a medical clinic.

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

Subject Property

Site Characteristics

The land is developed with a one (1) storey commercial building.

Adjacent Land Uses

To the north, on the north side of Bell Boulevard, is located land being developed with a gas bar and convenience store. To the west is an OPP Station. To the east and south the land is vacant.

Official Plan

The land is designated "Employment Area" in the Official Plan which permits the requested use.

Zoning By-Law

The property is zoned "CH-9/MS – Highway Commercial/Special Industrial" in Zoning By-Law Number 2076-80, as amended. The Applicant has requested a rezoning to a

modified CH-9/MS zone to allow a proposed 464.5 square metre commercial building to be occupied by chiropractic, massage, physiotherapy, acupuncture, rehabilitation and conditioning uses.

The minimum frontage requirement in the CH-9/MS zone is 30 metres and both the severed and retained lots of Land Severance File No. B 22/14 would comply with this requirement. Also a preliminary site plan submitted with the application shows proposed parking which exceeds the minimum required under zoning for this use.

In addition, the Committee of Adjustment granted reciprocal rights of way to accommodate a shared driveway access to service both the severed and retained lots. Consequently, special provisions will be required in the zoning to address driveway and aisle widths vis-à-vis the shared driveway access and the respective parking areas of these parcels.

It is also noted that the general amendments to the By-Law passed by Council in 2012 would not allow the site to be operated as a methadone clinic.

Application Circulation

• External Agency Circulation

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Hydro One, Veridian Connections, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines and Quinte Conservation on July 16, 2014.

Quinte Conservation advises that they have no concern and note that stormwater will need to be properly accommodated at the development stage.

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 July 16, 2014.

Fire and Emergency Services have no concerns or comments.

The Approvals Section comments as follows:

"We have no objection to the proposed Zoning By-Law Amendment. The Applicant should be advised that the property will need to be developed in accordance with the Site Plan Process which among other items will include the preparation and implementation of a Stormwater Management Report, the dedication of road widening to the City and meeting the City's sidewalk requirements, all to the satisfaction of the City."

Public Circulation

Notice of the subject application was circulated to all registered owners of land within 120 metres (400 feet) of the subject property on July 16, 2014. Notice was also provided in The Intelligencer.

No comments or concerns have been received.

Planning Analysis

The utilization of the proposed building for a medical clinic is permitted by the "Employment Area" policies of the Loyalist Secondary Plan. In addition, Bell Boulevard is designated in the Secondary Plan as the main arterial road which bisects the north portion of the Secondary Plan area. It is also noted that the lands currently have commercial/industrial zoning that permits an extensive range of highway commercial uses including professional offices.

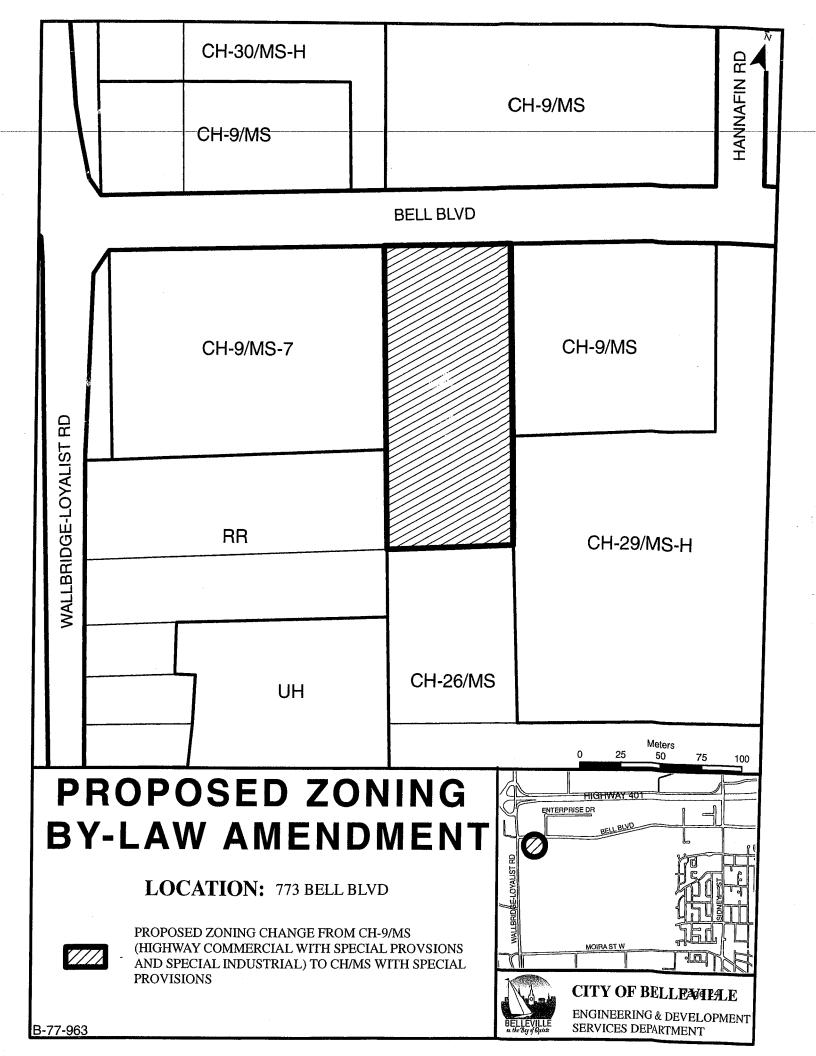
As a consequence of general amendments to the By-Law passed by Council in 2012 a methadone clinic would not be allowed to operate on this site.

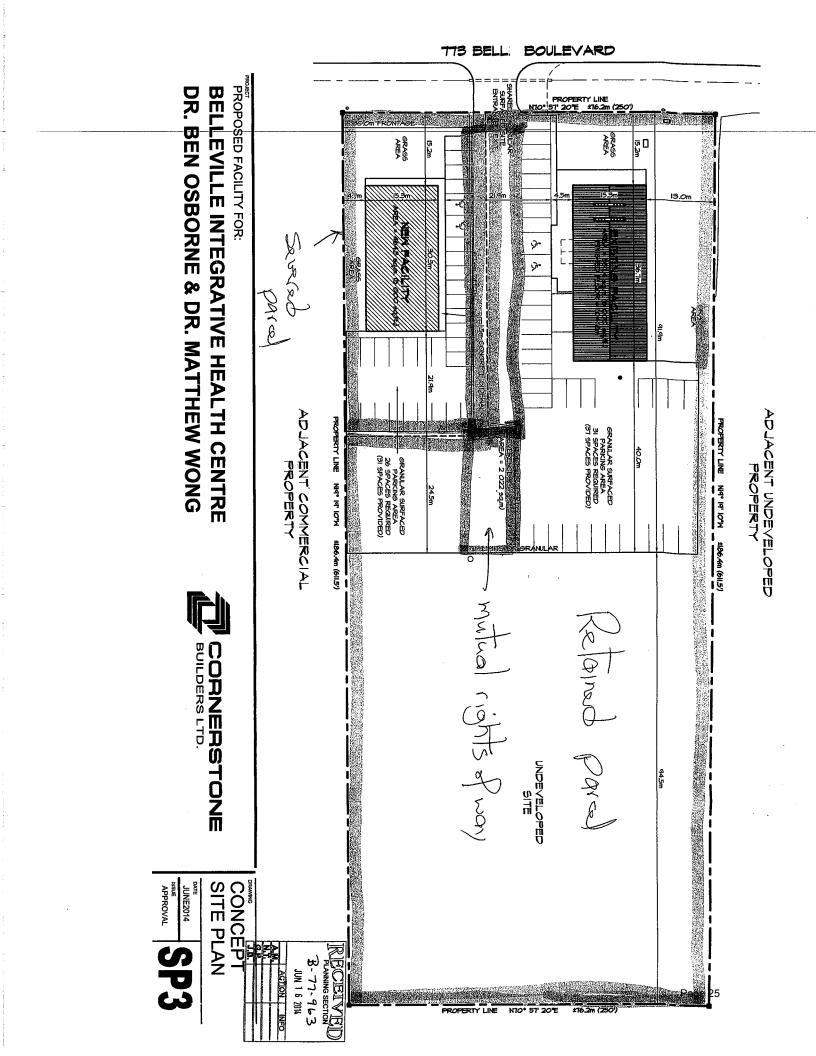
To eliminate multiple access points onto Bell Boulevard, the Committee of Adjustment has granted reciprocal rights of way to accommodate a shared driveway access to service both the severed and retained lots approved for Severance File No. B 22/14. Consequently, special provisions are required in the zoning amendment to address special driveway and aisle widths vis-à-vis the shared driveway access and the respective parking areas of these parcels.

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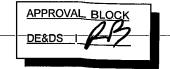
Arthur MacKay Manager of Policy Planning

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CITY OF BELLEVILLE ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT PLANNING SECTION Arthur MacKay, Manager of Policy Planning Report No. PP-2014-26 August 5, 2014

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

 Subject:
 Proposed Amendment to Zoning By-Law Number 10245, As Amended - A

 10 Earl Street, City of Belleville, County of Hastings

 File Number:
 B-77-965

 Applicant:
 KRISTIAN BONN

 Owner:
 TAMMY TALBOT

 Agent:
 CENTURY 21/LANTHORN REAL ESTATE LTD.,

 c/o TOM MCEVOY

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 10 Earl Street, City of Belleville, County of Hastings, be <u>APPROVED</u> as follows:

THAT Zoning By-Law Number 10245, as amended, be amended by rezoning the subject land from 'R4 – Residential Fourth Density' to a special 'C2 – General Commercial' zone to permit the land to be used as a parking area in association with the commercial building located at 54 North Front Street."

SUMMARY:

The application pertains to 10 Earl Street that comprises an area of approximately 511 square metres and which contains a single detached dwelling and a frame garage. The site is zoned "R4 – Residential Fourth Density" and the Applicant requests a rezoning to a special "C2 – General Commercial" zone to allow the land to be utilized as a parking area for the commercial building located at 54 North Front Street. The on-site buildings are proposed to be removed.

The land is designated "Residential Land Use" in the Official Plan and is contiguous to the "Commercial Land Use" designation which is located both to the east and north. The Plan permits minor variations to land use boundaries provided the general intent of the Plan is maintained.

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 511 square metres of land located on the north side of Earl Street and approximately 30 metres west of North Front Street.

The purpose of the application is to amend Zoning By-Law Number 10245, as amended, to permit the lands to be used as parking for an adjacent commercial building.

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

Subject Property

• Site Characteristics

The land contains a single detached dwelling and detached garage.

Adjacent Land Uses

To the north is located a funeral home. To the east is a commercial use. To the south, across Earl Street, is an apartment building and to the west are single detached residential uses.

Official Plan

The land is designated "Residential Land Use" in the Official Plan and is contiguous to the "City Centre" designation located to the south and east. The Plan permits minor variations to land use boundaries provided the general intent of the Plan is maintained. As such, the lands can be characterized as an area of transition between the residential uses along Earl Street and Gordon Street and adjacent commercial uses both to the east and north fronting on North Front Street.

Zoning By-Law

The subject land is zoned "R4 – Residential Fourth Density" in Zoning By-Law Number 10245, as amended. The Applicant requests a special "C2 – General Commercial" zone to permit the site to be developed as additional parking to service the commercial building located at 54 North Front Street.

The current C2-31 zoning for the commercial building requires a minimum of 8 on-site parking spaces. By incorporating the proposed new parking area with the existing parking will result in at least a doubling of the on-site parking that currently serves the commercial building.

Application Circulation

External Agency Circulation

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Hydro One, Veridian Connections, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines and Quinte Conservation on July 16, 2014.

Quinte Conservation advises that they have no concern.

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 July 16, 2014.

The Approvals Section advises as follows:

"We have no objection to the proposed Zoning By-Law Amendment. The Applicant should be advised that the property will need to be developed in accordance with the Site Plan process which among other items will include the preparation and implementation of a Stormwater Management Report and the provision of driveways in conformance with the City's Driveway Control By-Law No. 2001-129, all to the satisfaction of the City."

Fire and Emergency Services 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 July 16, 2014.

Edward Graves of 65 Gordon Street and Brian & Lucille Hodgins of 67 Gordon Street both have raised concerns with the proposed rezoning. Their comments can be found elsewhere in the Agenda.

Planning Analysis

As noted, the rezoning is requested to allow for additional parking to service the commercial building located at 54 North Front Street. If this application is approved, the building will be used as a legal office. Given the nature of the use, this will result in the parking area only being utilized during the business hours of the office – unlike a retail use (also permitted by the zone) which can generate demand both in the evenings and on weekends.

The commercial building can only presently accommodate a total of eight (8) on-site parking spaces currently provided in stacked arrangement. Based on the submitted site plan, the approval of this application will result in at least a total of sixteen (16) total spaces, thereby allowing the property to better accommodate off-street parking, and lessen on-street parking impacts.

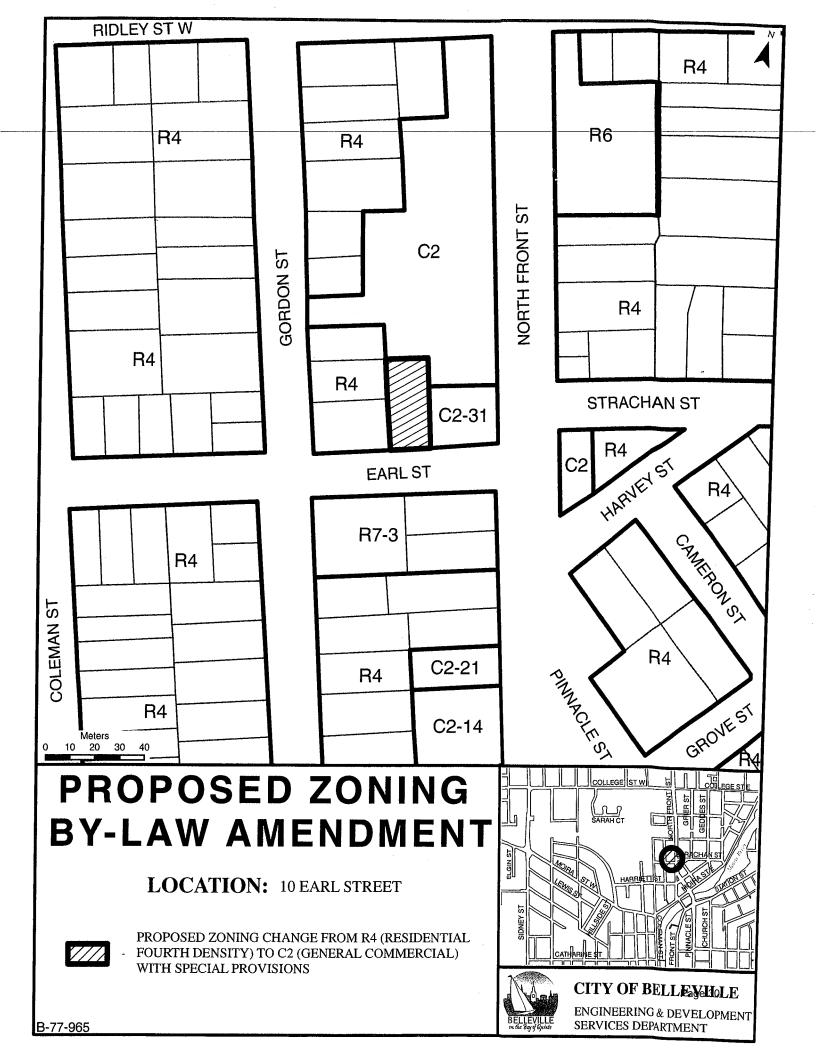
In response to the concerns raised regarding this development, the Applicant has met on-site with the neighbours to discuss their issues. To address those concerns, a two (2) metre high board fence is proposed to be constructed along the west lot line, adjacent to the residential properties fronting on Gordon Street. The Applicant also will be consulting with an arborist to investigate the feasibility of maintaining the tree located at the north-west corner, adjacent to the Hodgins property at 67 Gordon Street.

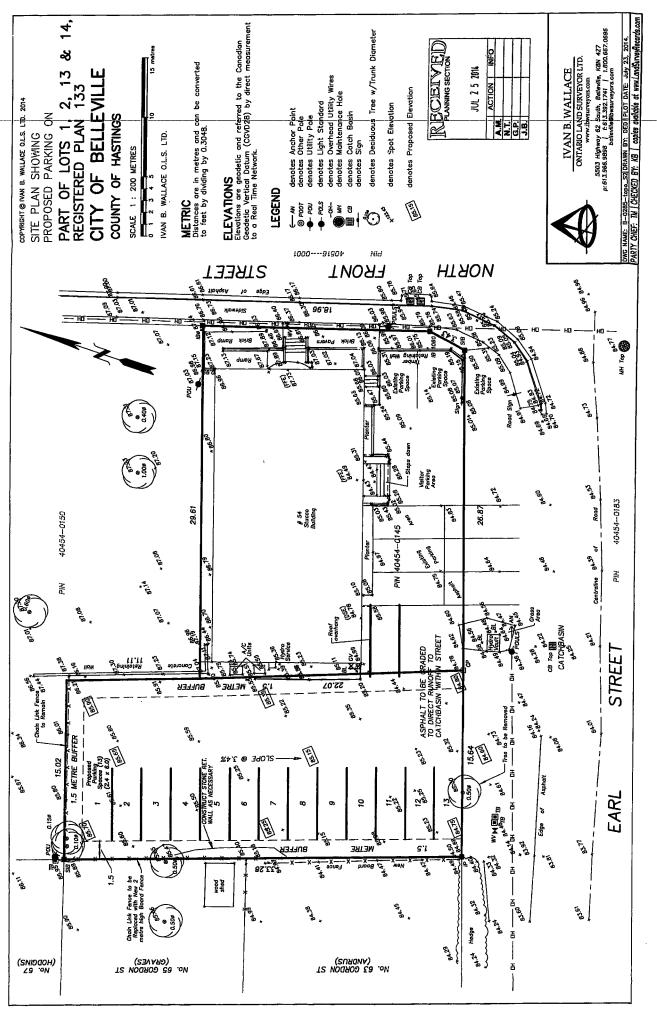
If approved, the site will be subject to a formal site plan control application and review process to address, among other things, stormwater drainage and appropriate fencing and landscaping between the parking area and the residential uses to the west and north-west. In addition to the aforementioned fence, the parking area is required to be separated from the abutting residential lot lines by a landscaped strip of land of at least 1.5 metres in width. To that end, it is recommended that the implementing Zoning By-Law restrict the use to allow for parking only.

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Arthur MacKay Manager of Policy Planning

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APPLICANT/OWNER/AGENT	PROPOSAL	STATUS page
Brian & Karen Rosebush Watson Land Surveyors Ltd.	25 Blesssington Road, Thurlow Zoning By-Law amendment to permit a proposed heating & plumbing shop with associated parking of trucks as well as allowance for a future store & lock facility. The severed parcel is to be rezoned to recognize the existing single detached dwelling.	Public Mtg: Aug 6/13 PAC Decision - Deferred pending Property Standards Order
Teddington Limited Stephen Hyndman	170 - 180 Coleman Street Zoning By-Law amendment to adjust northerly zone boundary to allow enlargement of the property & reduce size of structure required to accommodate on- site parking	Public Mtg: Feb 3/14 PAC Decision: Approved Council Approved: Feb 10/14 Appealed to OMB - File Forwarded Mar 10/14 OMB Hearing Date: July 15/14 Awaiting OMB Written Decision
Cobblestone Homes Quinte Inc. Van Meer Limited	38 Cannifton Road North/Lywood Street, Thurlow Zoning By-Law amendment to permit six (6) dwelling units comprising 2 semi detached & 2 single detached lots	Public Mtg: May 5/14 PAC Decision: Approved Council Approved: July 14/14 Appeal Date: Aug 5/14
Ashton Calnan	365 Maitland Drive, Thurlow Zoning By-Law amendment to add a fitness studio as a permitted use	Public Mtg: July 7/14 PAC Decision: Approved Council Approved: July 14/14 Appeal Date: Aug 5/14
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B-77-965 July 3/14 Kristian Bonn <i>10 Earl Street</i> Tammy Talbot Zoning By-Law amendment to allow the la Tom McEvoy utilized as a parking area for the adjacent commercial property	B-77-963 Jun 16/14 Shady Ridge Stock Farms Inc. 773 Bell Boulevard Zoning By-Law amer as a use	B-77-962 Jun 10/14 Tulip Development Corporation <i>Bell Boulevard</i> McIntosh Perry Zoning By-Law amer commercial uses & commercial uses & co	1 Jun 4/14 City of Belleville	FILE NO. DATE REC'D APPLICANT/OWNER/AGENT 2014	ENGINEERING AND DEVELOPMENT SERVICES DEPARTMENT PLANNING SECTION OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT MONITORING REPORT
<i>10 Earl Street</i> Zoning By-Law amendment to allow the land to be utilized as a parking area for the adjacent commercial property	773 Bell Boulevard Zoning By-Law amendment to add a medical clinic as a use	<i>Bell Boulevard</i> Zoning By-Law amendment to add a range of commercial uses & obtain relief on parking	Airport Parkway, Thurlow Zoning By-Law amendment to rezone to M2-1 and E	PROPOSAL	CES DEPARTMENT
Public Mtg: Aug 5/14	Public Mtg: Aug 5/14	Public Mtg: Aug 5/14	Public Mtg: July 7/14 PAC Decision: Approved Council Approved: July 14/14 Appeal Date: Aug 5/14	STATUS	