

BELLEVILLE PLANNING ADVISORY COMMITTEE

A G E N D A

NOVEMBER 4, 2013

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 – 1297 ZION ROAD, TOWNSHIP OF THURLOW, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NO.: B-77-947
APPLICANT/OWNER: ALLAN & PHYLLIS LOTT
AGENT: WATSON LAND SURVEYORS LTD.

Notice of Meeting and Map

1

- 3.2 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER
10245, AS AMENDED – 190 HERCHIMER AVENUE, CITY
OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NO.: B-77-948
APPLICANT: ALAN KELLY
OWNER: PAUL KELLY (1993) LTD.
-

Notice of Meeting and Map

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4. **ADJOURNMENT**

BELLEVILLE PLANNING ADVISORY COMMITTEE

A G E N D A

NOVEMBER 4, 2013

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 September 3, 2013

4. DEPUTATIONS

5. COMMUNICATIONS

- 5.1 October 28, 2013 email from Orest Rojik, Right-of-Way Representative Ontario for Canadian Pacific Railway regarding Plan of Subdivision 12T-13501-Potters Creek West Subdivision
Reports Items 7.1 and 7.2 refer

7RESOLUTION

"THAT the October 28, 2013 email from Orest Rojik, Right-of-Way Representative Ontario for Canadian Pacific Railway regarding Plan of Subdivision 12T-13501-Potters Creek West Subdivision be received and referred to Reports Items 7.1 and 7.2."

6. REFERRALS FROM PUBLIC MEETING

- 6.1 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED – 1297 ZION ROAD, TOWNSHIP OF THURLOW, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NO.: B-77-947
APPLICANT/OWNER: ALLAN & PHYLLIS LOTT
AGENT: WATSON LAND SURVEYORS LTD.

Manager of Policy Planning's Report No. PP-2013-36

8RESOLUTION

"THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend Zoning By-law Number 3014, as amended, for the property described as 1297 Zion Road, former Township of Thurlow, now in the City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 3014, as amended, be amended by rezoning the subject lands from 'PA – Prime Agriculture' to 'RR – Rural Residential' and to a special 'PA' zone, respectively."

- 6.2 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 190 HERCHIMER AVENUE, CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NO.: B-77-948
APPLICANT: ALAN KELLY
OWNER: PAUL KELLY (1993) LTD.

Manager of Policy Planning's Report No. PP-2013-37

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RESOLUTION

"THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-law Number 10245, as amended, for 190 Herchimer Avenue, City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 10245, as amended, be amended by modifying the provisions of the 'C1-3 – Local Commercial' zone by adding a medical clinic as a permitted use."

7. **REPORTS**

- 7.1 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 2076-80, AS AMENDED – PART 1, PLAN 21R-1013 AND PART OF LOTS 32 AND 33, CONCESSIONS 1 AND BROKEN FRONT, FORMER TOWNSHIP OF SIDNEY, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NO.: B-77-946
APPLICANT: BAX VINTAGE HOMES, C/O ADRIAN BAX
OWNER: STANLEY PARK LIMITED C/O PROCTER PROFESSIONAL CORPORATION
AGENT: RFA PLANNING CONSULTANT INC.

Manager of Policy Planning's Report No. PP-2013-38
 Communications Item 5.1 refers

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RESOLUTION

"THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning

By-law Number 2076-80, as amended, for Part 1, Plan 21R-1013 and Part of Lots 32 and 33, Concessions 1 and Broken Front, Former township of Sidney, Now in the City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 2076-80, as amended, be amended by rezoning the subject lands from 'UH – Urban Holding' to 'O1 – Open Space', 'R4-51 – Residential Fourth Density' and a special 'R6- Residential Sixth Density' zone, to permit 11 duplex dwellings and two (2) three (3) storey apartment buildings of 36 units each."

- 7.2 **REQUEST TO DRAFT APPROVE PLAN OF SUBDIVISION, POTTERS CREEK – WEST, PART 1, PLAN 21R-1013, PARTS OF LOTS 32 & 33, CONCESSION 1 AND PARTS OF LOTS 32 & 33, BROKEN FRONT CONCESSION, FORMERLY TOWNSHIP OF SIDNEY, NOW CITY OF BELLEVILLE; FILE NO. 12T-13501
OWNER: STANLEY PARK LIMITED
AGENT: RFA PLANNING CONSULTANT**

Manager, Approvals Section's Report No. APS-2013-41 Communications' Item 5.1 refers

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RESOLUTION

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

THAT approval of a Draft Plan of Subdivision, prepared by RFA Planning Consultant Inc., dated September 19, 2013, as shown on APPENDIX 2 attached to the Manager of Approvals' Report No. APS-2013-41, be granted for the lands identified as Part 1, Plan 21R-1013, Parts of Lots 32 & 33, Concession 1 and Parts of Lots 32 & 33, Broken Front Concession, formerly Township of Sidney, now City of Belleville, County of Hastings (File: 12T-013501), subject to the draft plan conditions outlined in APPENDIX 3 attached to the Manager of Approvals' Report No. APS-2013-41."

8. INFORMATION MATTERS

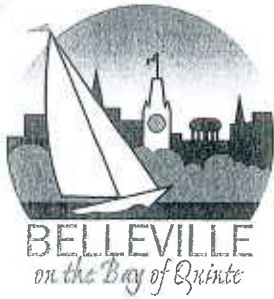
**8.1 OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT
MONITORING REPORT**

Report to October 30, 2013

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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

File No.: B-77-947

**PUBLIC MEETING
CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
MONDAY, NOVEMBER 4, 2013
AT 5:30 P.M.**

A Public Meeting will be held to consider an amendment to Zoning By-Law Number 3014, as amended. The applicant requests a rezoning of land that is subject to a consent application granted by the Committee of Adjustment on May 16, 2013 (Committee File # B 8/13). The consent is proposing to sever the existing farmhouse from the abutting farm fields as a surplus dwelling subject to farm lands being consolidated. In accordance with the surplus dwelling requirements of the Official Plan and the Provincial Policy Statement, the applicant is requesting that the farm land zoned "PA – Prime Agriculture" be rezoned to a special "PA-47" zone so as to not permit the construction of a residential dwelling. In addition the parcel that contains the farm dwelling (approximately 6,070 square metres of area) is to be rezoned from "PA" to "RR – Rural Residential".

The land is described municipally as 1297 Zion Road, Township of Thurlow, now in the City of Belleville, County of Hastings.

OFFICIAL PLAN:

The land subject to this application is designated "Agricultural Land Use" in the City's Official Plan. The policies of the Plan permit the disposal of surplus farm dwellings when farm land is being consolidated, subject to satisfying various requirements.

ZONING BY-LAW:

The subject land is zoned "PA – Prime Agriculture" in Zoning By-Law Number 3014, as amended. The applicant requests a rezoning to a special "PA-47" zone to prohibit the construction of a residential dwelling and thereby satisfy a condition of a consent application granted by the Committee of Adjustment (Committee File # B 8/13). The parcel containing the farm dwelling is to be rezoned to "RR – Rural Residential".

If you wish to be notified of the decision of the City of Belleville or Belleville Planning Advisory Committee in respect of this application, you must submit a written request to Matt MacDonald, Secretary, Planning Advisory Committee, City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3256, Fax: 613-967-3206, TTY: 613-967-3768, Email: mtmacdonald@city.belleville.on.ca).

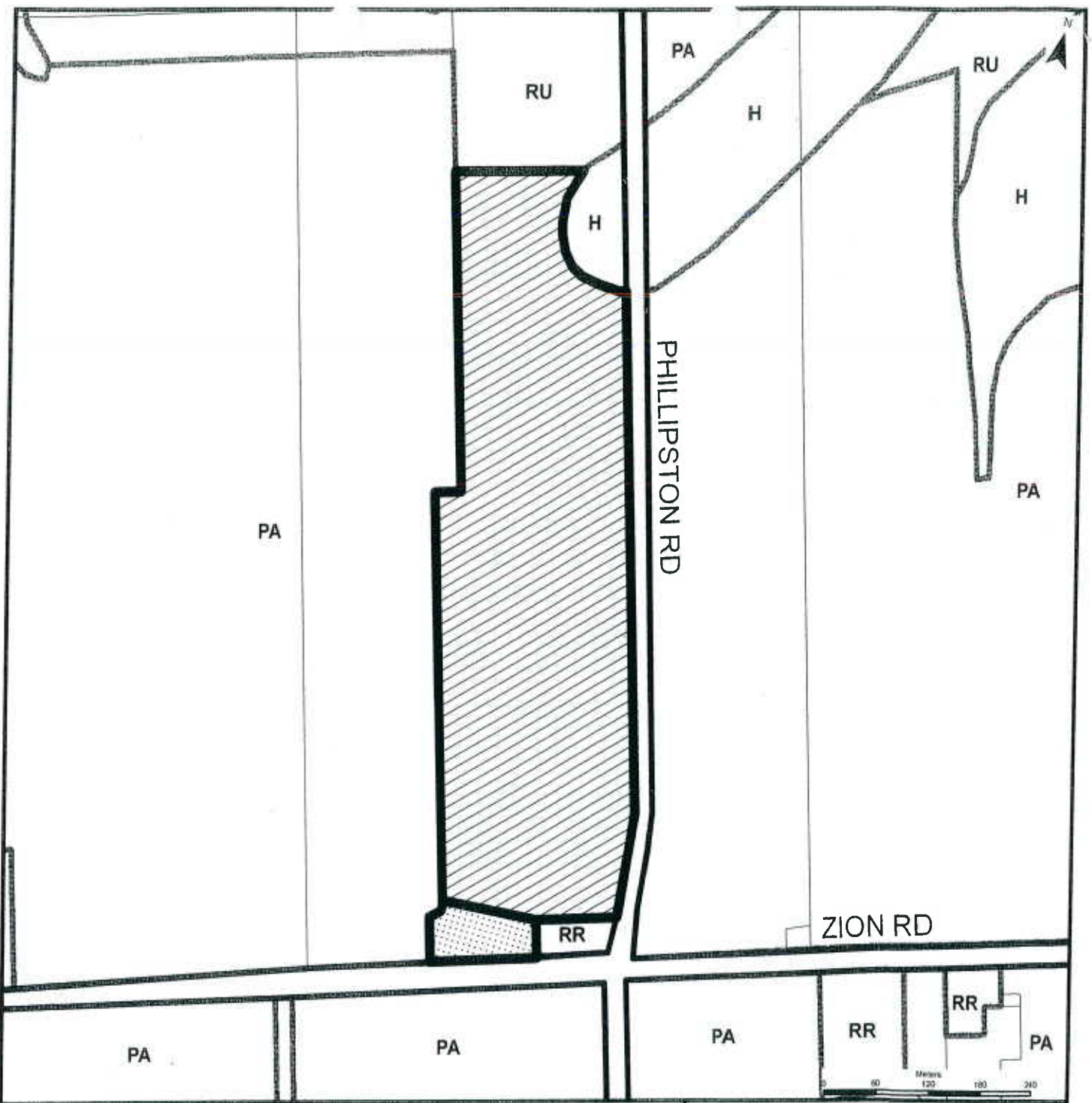
If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Belleville before the by-law is passed, the person or public body is not entitled to appeal the decision of the City of Belleville to the Ontario Municipal Board and may not be added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

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

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



Matt MacDonald, Secretary
Planning Advisory Committee

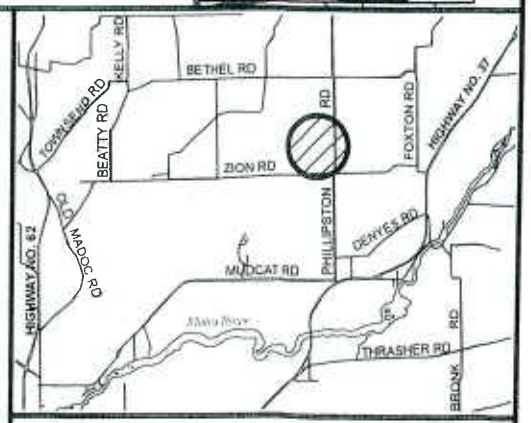
DATED at the City of Belleville this 15th day of October, 2013



PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: ZION RD / PHILLIPSTON RD

-  PROPOSED ZONING CHANGE FROM PA (PRIME AGRICULTURE ZONE) TO PA-47 (PRIME AGRICULTURE ZONE WITH SPECIAL PROVISIONS)
-  PROPOSED ZONING CHANGE FROM PA (PRIME AGRICULTURE ZONE) TO RR (RURAL RESIDENTIAL)





City of Belleville

Engineering & Development Services Department

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

File No.: B-77-948

**PUBLIC MEETING
CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
MONDAY, NOVEMBER 4, 2013
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 commercial building that is located at 190 Herchimer Avenue. The land is zoned "C1-3 – Local Commercial" and the applicant requests a modification to the C1-3 zone to permit a portion of the building to be used as a medical clinic to house physiotherapists. No new development is proposed.

The land is described municipally as 190 Herchimer Avenue, City of Belleville, County of Hastings.

OFFICIAL PLAN:

The land is designated "Commercial Land Use" in the Official Plan. Within this land use designation, the policies of the Plan allow a medical clinic as a permitted use.

ZONING BY-LAW:

The subject land is zoned "C1-3 – Local Commercial" in Zoning By-Law Number 10245, as amended. The applicant requests an amendment to the C1-3 zone 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 Matt MacDonald, Secretary, Planning Advisory Committee, City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3256, Fax: 613-967-3206, TTY: 613-967-3768, Email: mtmacdonald@city.belleville.on.ca).

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

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

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

Matt MacDonald, Secretary
Planning Advisory Committee

DATED at the City of Belleville this 15th day of October, 2013

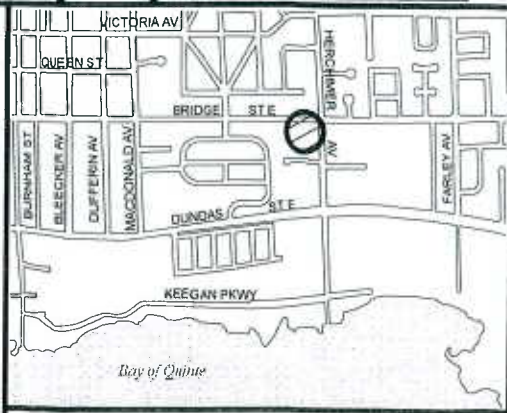


PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 190 HERCHIMER AVE



PROPOSED ZONING CHANGE FROM C1-3 (LOCAL COMMERCIAL ZONE WITH SPECIAL PROVISIONS) TO REVISED PERMITTED USES AS DETAILED IN THE ATTACHED NOTICE



Subject: FW: BELLEVILLE - 12T-13501 - Potters Creek West Subdivision

-----Original Message-----

From: Orest Rojik [mailto:Orest_Rojik@cpr.ca]
Sent: Monday, October 28, 2013 11:55 AM
To: Hutchison, Spencer
Subject: BELLEVILLE – 12T-13501 – Potters Creek West Subdivision

BELLEVILLE – 12T-13501 – Potters Creek West Subdivision

This is in reference to your circulation of the above-mentioned application for a plan of subdivision. The proposed development is located adjacent to our Belleville Subdivision, which is classified as a principle main line.

Canadian Pacific Railway is not in favour of residential developments adjacent to our right-of-way as this land use is not compatible with railway operations. The health, safety and welfare of future residents could be adversely affected by railway activities.

However, to ensure the safety and comfort of adjacent residents and to mitigate as much as possible the inherent adverse environmental factors, we request that the following requirements be included as Conditions of Subdivision Approval:

1. Dwellings must be constructed such that the interior noise levels meet MOE criteria. A noise study should be carried out by a professional noise consultant to determine what impact, if any, railway noise would have on residents of proposed subdivisions and to recommend mitigation measures if required. The Railway may consider other measures recommended by the study.
2. A clause should be inserted in all offers to purchase, agreements of purchase and sale or lease and in the title deed or lease of each dwelling within 300m of the railway right-of-way, warning prospective purchasers or tenants of the existence of the Railway's operating right-of-way; the possibility of alterations including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuating measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations.

We would appreciate being circulated with all future correspondence related to this application.

Orest Rojik SR/WA | Right-of-Way Representative Ontario | 800-1290 Central Parkway West, Mississauga, ON L5C 4R3 | 905-803-3425 Canadian Pacific

----- IMPORTANT NOTICE - AVIS IMPORTANT ----- Computer viruses can be transmitted via email. Recipient should check this email and any attachments for the presence of viruses. Sender and sender company accept no liability for any damage caused by any virus transmitted by this email. This email transmission and any accompanying attachments contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this email by anyone other than the intended recipient is strictly prohibited. If you have received this email in error please immediately delete it and notify sender at the above email address.



APPROVAL BLOCK
DE&DS | *AB*

CITY OF BELLEVILLE
DEVELOPMENT SERVICES DEPARTMENT
PLANNING SECTION
Arthur MacKay, Manager of Policy Planning
Report No. PP-2013-36
November 4, 2013

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

Subject: Proposed Amendment to Zoning By-Law Number 3014, As Amended –
1297 Zion Road, Township of Thurlow, Now in the City of Belleville,
County of Hastings
File Number: B-77-947
Applicant/Owner: ALLAN & PHYLLIS LOTT
Agent: WATSON LAND SURVEYORS LTD.

Recommendation:

"THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend Zoning By-Law Number 3014, as amended, for the property described as 1297 Zion Road, former Township of Thurlow, now in the City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-Law Number 3014, as amended, be amended by rezoning the subject lands from 'PA – Prime Agriculture' to 'RR - Rural Residential' and to a special 'PA' zone, respectively."

SUMMARY:

The Applicant requests a rezoning of land that is subject to a Consent Application granted by the Committee of Adjustment on May 16, 2013 (Committee File # B 8/13). The Consent is proposing to sever the existing farmhouse from the abutting farm fields as a surplus dwelling subject to farmlands being consolidated. In accordance with the surplus dwelling requirements of the Official Plan and the Provincial Policy Statement, the Applicant is requesting that the severed farmland zoned "PA – Prime Agriculture" be rezoned to a special "PA" zone so as to not permit the construction of a residential dwelling.

The proposed retained lot, comprising approximately 6,070 square metres of lot area, and which contains the farm dwelling, is to be rezoned to "RR – Rural Residential".

The land subject to this application is designated "Agricultural Land Use" in the City's Official Plan. The policies of the Plan permit the disposal of surplus farm dwellings when farmland is being consolidated, subject satisfying various requirements. The subject farm field is to be acquired by the farmer who is currently renting the land.

The Provincial Policy Statement (Subsection 2.3.4.1 c)) requires that the "planning authority" (i.e. the Municipality) ensures that no new residential dwellings are permitted on the remnant parcel of farmland when permitting the creation by Consent of a residence surplus to a farming operation. The approach that is used by the Municipality, and recommended by the Province, is a rezoning of the land to prohibit residential development.

On that basis, the proposal complies with the Official Plan and the Provincial Policy Statement.

Planning Staff recommend that the Zoning By-Law amendment be approved.

BACKGROUND:

Purpose and Effect

The proposed Zoning By-Law amendment applies to farmland located at Zion Road and Phillipston Road.

The purpose of the application is to satisfy a condition of Committee of Adjustment decision # B 8/13 and thereby amend the Thurlow Ward Zoning By-Law Number 3014, as amended. Consent Application # B 8/13 proposes to sever the existing farmhouse as a surplus dwelling. In accordance with the policies of the Official Plan and the Provincial Policy the Applicant requests that the farm field zoned "PA – Prime Agriculture" be rezoned to a special "PA" zone so as to preclude the construction of a residential dwelling. In addition the retained parcel containing the farm dwelling is to be rezoned to "RR – Rural Residential".

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

Subject Property

The subject lands are located on the north side of Zion Road, west of Phillipston Road. A mix of rural residential and agricultural uses characterizes the adjacent land uses.

Official Plan

The property is designated "Agricultural Land Use" in the City's Official Plan. As per Subsection 7.2.3 e) of the Plan, as well as Subsection 2.3.4.1 c) of the Provincial Policy Statement, a Consent to enable disposal of a surplus dwelling in prime agricultural areas created through the consolidation of farmland may be permitted subject to the planning authority ensuring that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance.

The proposal complies with the Official Plan.

Zoning By-Law

The land subject to this application is zoned "PA – Prime Agriculture" in Zoning By-Law Number 3014, as amended. The Applicant requests that these lands be rezoned to a special "PA" zone so as to not permit the construction of a residential dwelling, as well as rezoning the farm dwelling to "RR – Rural Residential".

Application Circulation

- External Agency Circulation

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Hydro One, Veridian Connections, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines and Quinte Conservation on October 15, 2013.

Quinte Conservation and Bell Canada advise that they do not have a concern with the proposal.

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

- Internal Department Circulation

The subject application was circulated for comment to Belleville Fire and Emergency Services, Belleville Police Service, the Department of Engineering and Development Services, the Environmental & Operational Services Department, the Department of Recreation, Culture and Community Services and the Manager of Approvals on October 15, 2013.

The Fire Department and the Approvals Section advise that they have no comment or concern.

- Public Circulation

Notice of the subject application was circulated to all registered owners of land within 120 metres (400 feet) of the subject property on October 15, 2013. Notice was also provided in The Intelligencer.

In response to the newspaper notice, an inquiry was received at the counter asking about the nature of the application.

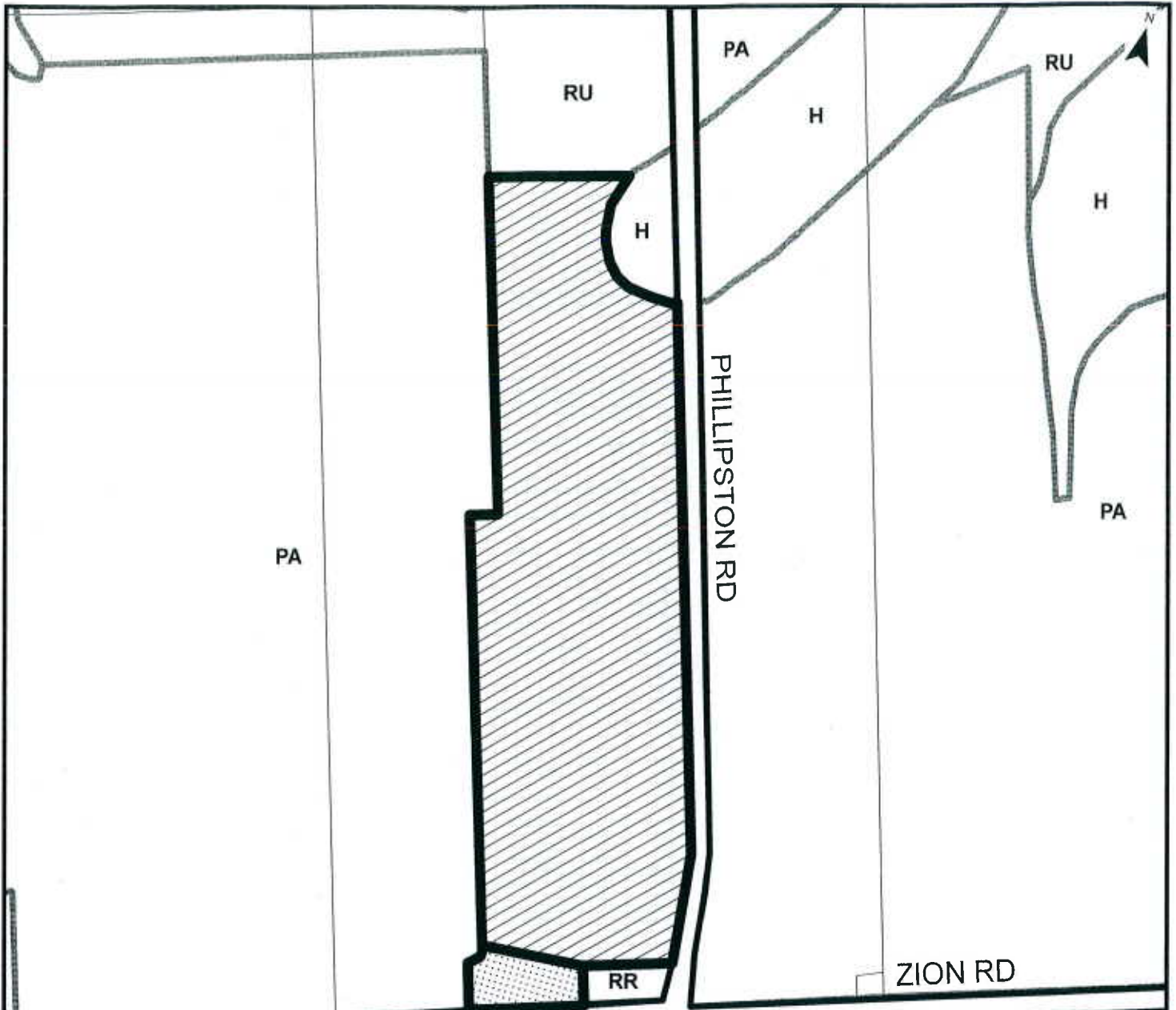
Planning Analysis

The granting of Consent Application File # B 8/13 by the Committee of Adjustment has resulted in the proposed severance of an existing farmhouse from the abutting farm fields. The Committee's approval of the surplus dwelling was granted in accordance with the surplus dwelling requirements of the Official Plan and the Provincial Policy Statement. Consequently, the Applicant is requesting that the retained farmland zoned "PA – Prime Agriculture" be rezoned to a special "PA" zone so as to not permit the construction of a residential dwelling. In addition the retained parcel containing the farm dwelling is to be rezoned to "RR – Rural Residential". The subject farm field is to be acquired by the farmer who is currently renting the land.

Planning Staff are satisfied the proposal complies with both the policies of the Official Plan and the Provincial Policy Statement. In this regard, the resultant rezoning will serve to protect farmland for future farming uses. On that basis, the application is recommended for approval.


Arthur MacKay
Manager of Policy Planning

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PROPOSED ZONING BY-LAW AMENDMENT

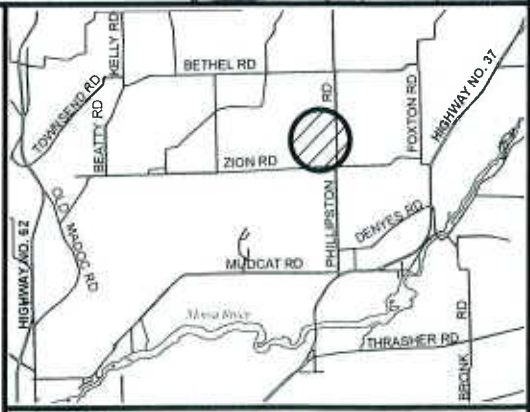
LOCATION: ZION RD / PHILLIPSTON RD



PROPOSED ZONING CHANGE FROM PA (PRIME AGRICULTURE ZONE) TO PA-47 (PRIME AGRICULTURE ZONE WITH SPECIAL PROVISIONS)



PROPOSED ZONING CHANGE FROM PA (PRIME AGRICULTURE ZONE) TO RR (RURAL RESIDENTIAL)



CITY OF BELLEVILLE
 ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT



APPROVAL BLOCK
DE&DS | RB

CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT
PLANNING SECTION
Arthur MacKay, Manager of Policy Planning
Report No. PP-2013-37
November 4, 2013

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

Subject: Proposed Amendment to Zoning By-Law Number 10245, As Amended –
190 Herchimer Avenue, City of Belleville, County of Hastings
File Number: B-77-948
Applicant: ALAN KELLY
Owner: PAUL KELLY (1993) LTD.

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 190 Herchimer Avenue, City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-Law Number 10245, as amended, be amended by modifying the provisions of the 'C1-3 – Local Commercial' zone by adding a medical clinic as a permitted use."

SUMMARY:

The application pertains to a one (1) storey commercial building located adjacent to and on the same parcel of land as Kelly's Drug Store. Currently, the building is partially occupied by a beauty salon. The land is zoned "C1-3 – Local Commercial" and the Applicant requests a rezoning to add a medical clinic as an additional permitted use. The building is to be internally renovated to accommodate the change in use with no new development proposed. The clinic is proposed to accommodate physiotherapists.

The land is designated "Commercial Land Use" in the Official Plan. Within this land use designation, the policies of the Plan allow a medical clinic as 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 building situated on the west side of Herchimer Avenue. The site can also be accessed from Bridge Street East.

The purpose of the application is to amend Zoning By-Law Number 10245, 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 is located a commercial plaza. To the west is a drug store. To the east, across Herchimer Avenue are located residential uses. To the south is a parking lot that services St. Joseph's School.

Official Plan

The land is designated "Commercial Land Use" in the Official Plan which permits the requested use.

Zoning By-Law

The property is zoned "C1-3 – Local Commercial" in Zoning By-Law Number 10245, as amended. The Applicant has requested a rezoning to a modified C1-3 zone to allow an existing commercial building to be partially occupied by physiotherapists.

The site is also characterized by a substantial parking area that services both the subject building and the adjacent drug store.

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 October 15, 2013.

Quinte Conservation advises that they have no concern.

- Internal Department Circulation

The subject application was circulated for comment to Belleville Fire and Emergency Services, Belleville Police Service, the Department of Engineering and Development Services, the Environmental & Operational Services Department, the Department of Recreation, Culture and Community Services and the Manager of Approvals on October 15, 2013.

Fire and Emergency Services and the Approvals Section have no concerns or comments.

- Public Circulation

Notice of the subject application was circulated to all registered owners of land within 120 metres (400 feet) of the subject property on October 15, 2013. Notice was also provided in The Intelligencer.

No comments or concerns have been received.

Planning Analysis

The partial utilization of the existing building for a medical clinic is permitted by the "Commercial Land Use" policies of the Official Plan and there is sufficient on-site parking to accommodate the proposed new occupancy.

Given the location on two (2) collector roads (i.e. Herchimer Avenue and Bridge Street East), as well as the surrounding land uses, the building is appropriate for the proposed use.



Arthur MacKay
Manager of Policy Planning

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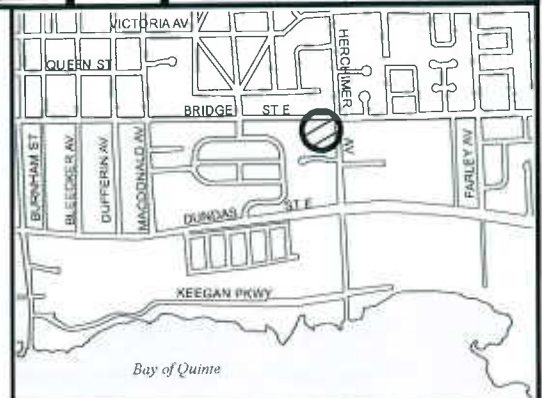


PROPOSED ZONING BY-LAW AMENDMENT

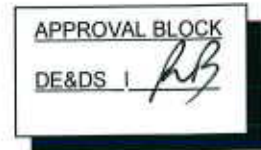
LOCATION: 190 HERCHIMER AVE



PROPOSED ZONING CHANGE FROM C1-3 (LOCAL COMMERCIAL ZONE WITH SPECIAL PROVISIONS) TO REVISED PERMITTED USES AS DETAILED IN THE ATTACHED NOTICE



CITY OF BELLEVILLE
 ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT
 Page 16



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT
PLANNING SECTION
Arthur MacKay, Manager of Policy Planning
Report No. PP-2013-38
November 4, 2013

Subject: Proposed Amendment to Zoning By-Law Number 2076-80, as Amended – Part 1, Plan 21R-1013 and Part of Lots 32 and 33, Concessions 1 and Broken Front, Former Township of Sidney, Now in the City of Belleville, County of Hastings
File Number: B-77-946
Applicant: BAX VINTAGE HOMES, c/o ADRIAN BAX
Owner: STANLEY PARK LIMITED,
c/o PROCTER PROFESSIONAL CORPORATION
Agent: RFA PLANNING CONSULTANT INC.

Recommendation:

"THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-Law Number 2076-80, as amended, for Part 1, Plan 21R-1013 and Part of Lots 32 and 33, Concessions 1 and Broken Front, Former Township of Sidney, Now in the City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-Law Number 2076-80, as amended, be amended by rezoning the subject lands from 'UH – Urban Holding' to, 'O1 - Open Space', 'R4-51 – Residential Fourth Density' and a special 'R6 – Residential Sixth Density' zone, to permit 11 duplex dwellings and two (2) three (3) storey apartment buildings of 36 units each".

SUMMARY:

As the Committee will recall, the Public Meeting for this application was held on September 3, 2013. At that time the proposed rezoning and draft plan of subdivision

was deferred pending further review of sightlines for the proposed new road at the location where it would intersect Avonlough Road.

The Applicant has revised the application and has eliminated the proposed road connection. Instead, the site is now proposed to be only accessed from the east by incorporating a cul-de-sac. A block of land is to be deeded the City at the location where the road was to intersect Avonlough Road for the purpose of providing emergency access and a walkway. This block is recommended to be rezoned to "O1 - Open Space".

Canadian Pacific Railway has commented on the application and has requested as conditions of subdivision approval noise mitigation requirements, should they be required, as well as warning clauses regarding railway right-of-way impacts.

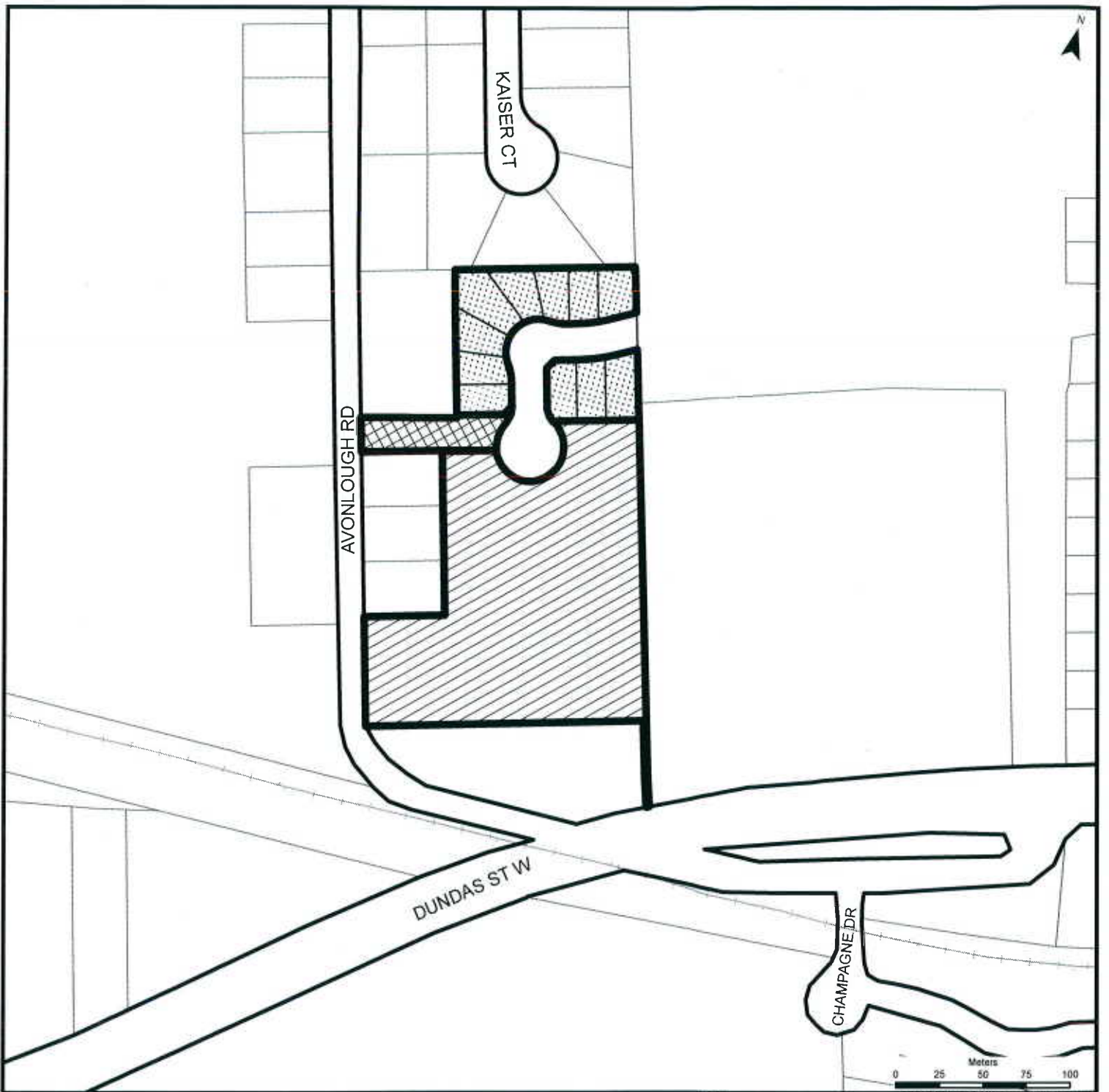
As previously stated (Report PP-2013-32, dated September 3, 2013), the land is designated "Residential" in the Loyalist Secondary Plan and the policies of this designation permit a range of residential dwelling types subject to satisfying various requirements of the Plan. In the subject instance, the development of these lands for residential purposes will provide a complimentary expansion of the approved Potters Creek subdivision to the east.

On the basis of the foregoing, Planning Staff recommends that the application be approved.






Arthur MacKay
Manager of Policy Planning

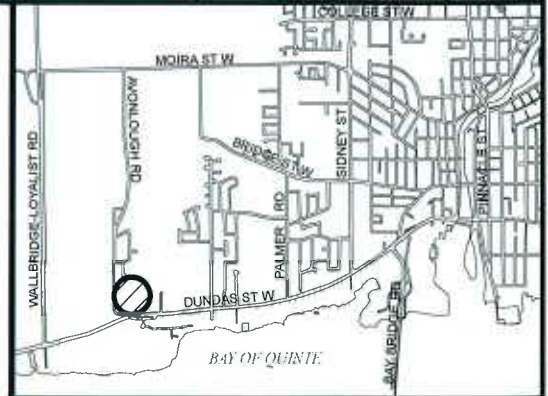
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DRAFT PLAN OF SUBDIVISION & PROPOSED ZONING BY-LAW AMENDMENTS

LOCATION: AVONLOUGH RD / DUNDAS ST W

-  - PROPOSED ZONING CHANGE FROM UH (URBAN HOLDING) TO R4-51 (RESIDENTIAL FOURTH DENSITY WITH SPECIAL PROVISIONS)
-  - PROPOSED ZONING CHANGE FROM UH (URBAN HOLDING) TO R6 (RESIDENTIAL SIXTH DENSITY WITH A SPECIAL PROVISION)
-  - PROPOSED ZONING CHANGE FROM UH (URBAN HOLDING) TO O1 (OPEN SPACE)





CITY OF BELLEVILLE
Spencer Hutchison
Manager, Approvals Section
Engineering and Development Services Department
Report No. APS-2013-41
November 4, 2013

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

Subject: Request to Draft Approve Plan of Subdivision
Potters Creek – West
Part 1, Plan 21R-1013
Parts of Lots 32 & 33, Concession 1 and Parts of Lots 32 & 33, Broken Front
Concession, formerly Township of Sidney, now City of Belleville
Owner: Stanley Park Limited
Agent: RFA Planning Consultant

File: 12T-13501

Recommendation:

“That the Belleville Planning Advisory Committee recommend the following to
City Council:

“THAT approval of a Draft Plan of Subdivision, prepared by RFA Planning
Consultant Inc., dated September 19, 2013, as shown on **APPENDIX 2**
attached to the Manager of Approvals’ Report No. APS-2013-41, be
granted for the lands identified as Part 1, Plan 21R-1013, Parts of Lots 32
& 33, Concession 1 and Parts of Lots 32 & 33, Broken Front Concession,
formerly Township of Sidney, now City of Belleville, County of Hastings
(File: 12T-013501), subject to the draft plan conditions outlined in
APPENDIX 3 attached to the Manager of Approvals’ Report No. APS-
2013-41.”

Background:

The lands subject to this plan of subdivision application are located on the east side of
Avonlough Road north of Dundas Street West, as shown on the attached Location Map
(**APPENDIX 1**).

On September 3, 2013 a public meeting was held to discuss the proposed Potters
Creek – west subdivision. At that time, Staff along with some local residents expressed
concerns about the proposed entrance the new subdivision would have onto Avonlough
Road.

Background: (cont'd)

As a result the applicant's consultant reviewed the situation and submitted a revised draft plan as shown on **APPENDIX 2**.

Proposal:

As shown on the revised subdivision plan this development would consist of the westward extension of the Potters Creek subdivision. Street "A" in Potters Creek would be extended westward to provide access and terminate in a cul de sac. There no longer would be a road connection to Avonlough Road although a pedestrian trail and an emergency access route would be provided.

In terms of residential units, the applicant is proposing to provide 11 new lots for 22 duplex dwelling units and one large block for 72 apartment units. Thus a total of 94 dwelling units.

No parkland is to be provided in this subdivision and the developer will be required to make a cash in-lieu of parkland payment. For the apartment block, on-site open space will be provided.

Full municipal services will have to be extended to the proposed lands

Public Comments:

On October 23rd the revised subdivision plan was circulated to those interested parties who signed the podium sheet at the September 3rd planning meeting. Up until the present time, no one has contacted the Approvals Section to comment on the revised plan.

Subsequent to the September 3rd Public Meeting, comments have now been received from C.P. Rail because of the proximity of their rail line to the proposed subdivision. The proposed draft plan conditions address C.P.'s comments by requiring the preparation and implementation of a noise study and the inclusion of a warning clause about C.P.'s operation on the legal title of all new dwellings.

Planning Comments:

The current draft plan as submitted, and as shown on **APPENDIX 2**, provides for the logical extension of the draft approved subdivision to the east (Potters Creek) and allows for the development of a large vacant parcel of land on the east side of Avonlough in a manner consistent with the City's Loyalist Secondary Plan. This proposed subdivision provides a mix of dwelling units in the form of duplexes and apartment units to complement the existing and planned residential units in the surrounding area.

Proposed Conditions of Draft Plan Approval:

The proposed conditions of draft plan approval for this subdivision are outlined on **APPENDIX 3**. These conditions follow the normal city format and largely consist of conditions commonly utilized in other draft plans approved by the City. As typical, the major issues in approving this subdivision arise from servicing the subject lands and all of the engineering works required to develop this site.

The developer will be responsible for designing and constructing an emergency access road and walkway from Street "A" to Avonlough Road. (**APPENDIX 3 - #8**)

A hydrogeological study will have to be undertaken because of the possibility of conflicts with nearby wells and/or septic systems (**APPENDIX 3 - #11**)

The developer will be responsible for all of the required street lighting to the satisfaction of the City. (**APPENDIX 3 - #14**)

The developer will be responsible for stormwater management to the satisfaction of the City and Quinte Conservation (**APPENDIX 3 - #15 and #16**)

The developer will have to make a 5% cash in lieu of parkland payment to the City (**APPENDIX 3 - #17**).

This subdivision will be serviced by one or more community mail boxes and future owners are to be made aware of this level of service (**APPENDIX 3 - #18 to 20**).

Because of the nearby railway line an acoustical study will have to be undertaken and the results of the study implemented along with a warning clause to notify all future residents about the possible impact of the railway (**APPENDIX 3 - #21 to #23**).

Prior to final approval, appropriate zoning must be in place (**APPENDIX 3 - #25**).

The Owner and all encumbrancers (mortgagees) will have to enter into a subdivision agreement with the City of Belleville. In doing so, the Owner will have to agree in writing to satisfy all the requirements, financial and otherwise, of the City of Belleville, including the provision of roads, sidewalks, boulevards, installation of services, stormwater management and drainage. (**APPENDIX 3 - #26**)

Lastly, draft plan approval expires on November 12, 2015 if all the conditions are not satisfied by that date.

Financial:

All of the planning, engineering, survey and legal costs to facilitate the development of this subdivision plan will be at the Owner's expense. The applicant paid a fee for the plan of subdivision application. If approved and if dwellings are constructed, development charges will have to be paid while the City will eventually have to take ownership and maintain Street "A".

Conclusion:

The Approvals Section of the Engineering and Development Services Department supports the approval of the draft plan of subdivision, prepared by RFA Planning Consultant Inc. on behalf of Stanley Park Limited for the lands identified as Part 1, Plan 21R-1013, Parts of Lots 32 & 33, Concession 1 and Parts of Lots 32 & 33, Broken Front Concession, formerly Township of Sidney, now City of Belleville, County of Hastings (File: 12T-013501), and recommends to the Belleville Planning Advisory Committee that Belleville City Council be requested to formally issue draft plan of subdivision approval for this subdivision, as shown on **APPENDIX 2**, subject to the list of conditions outlined in **APPENDIX 3**.

Respectfully submitted.

Spencer Hutchison

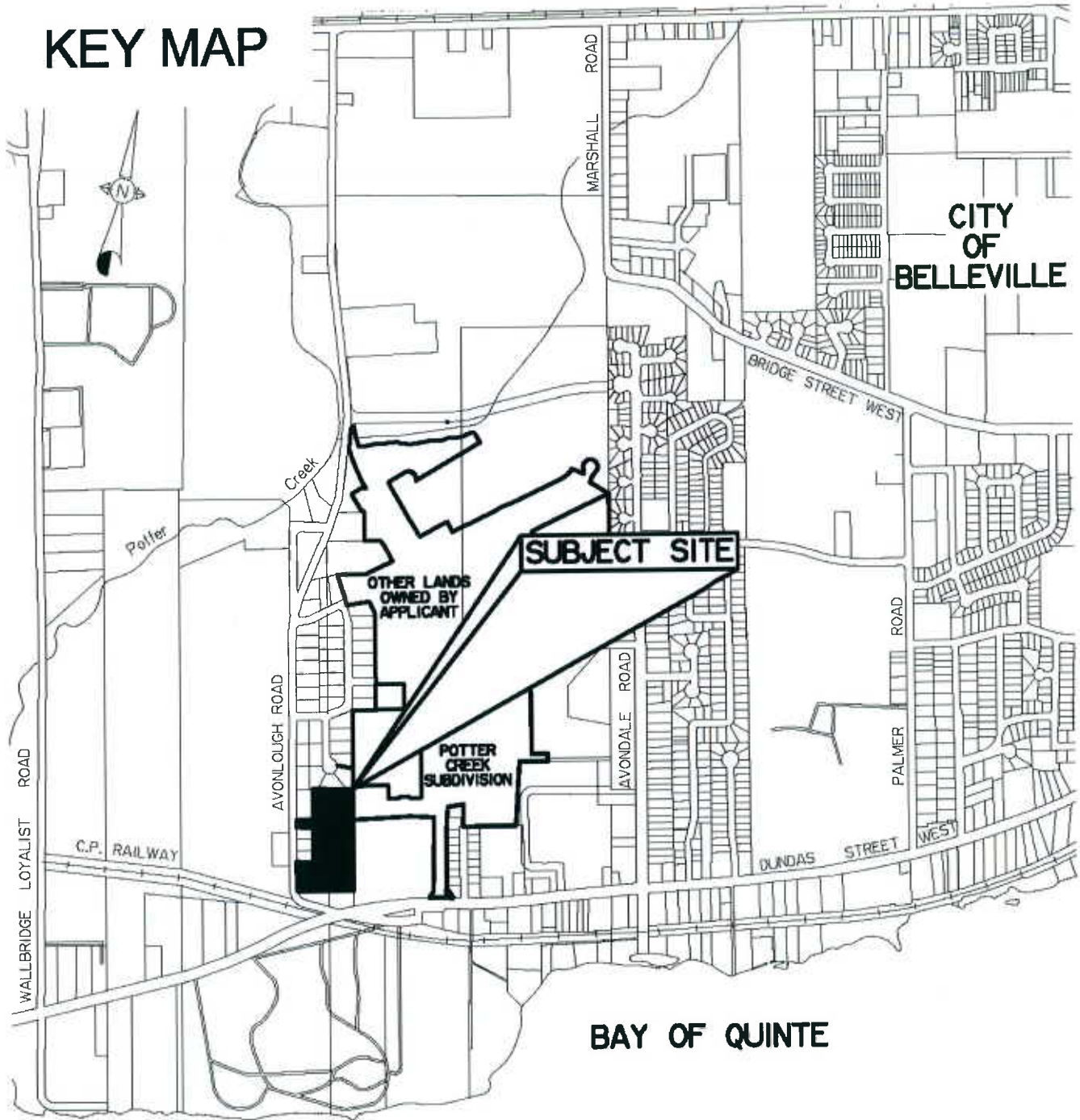
Spencer Hutchison/MG



APPENDIX 1

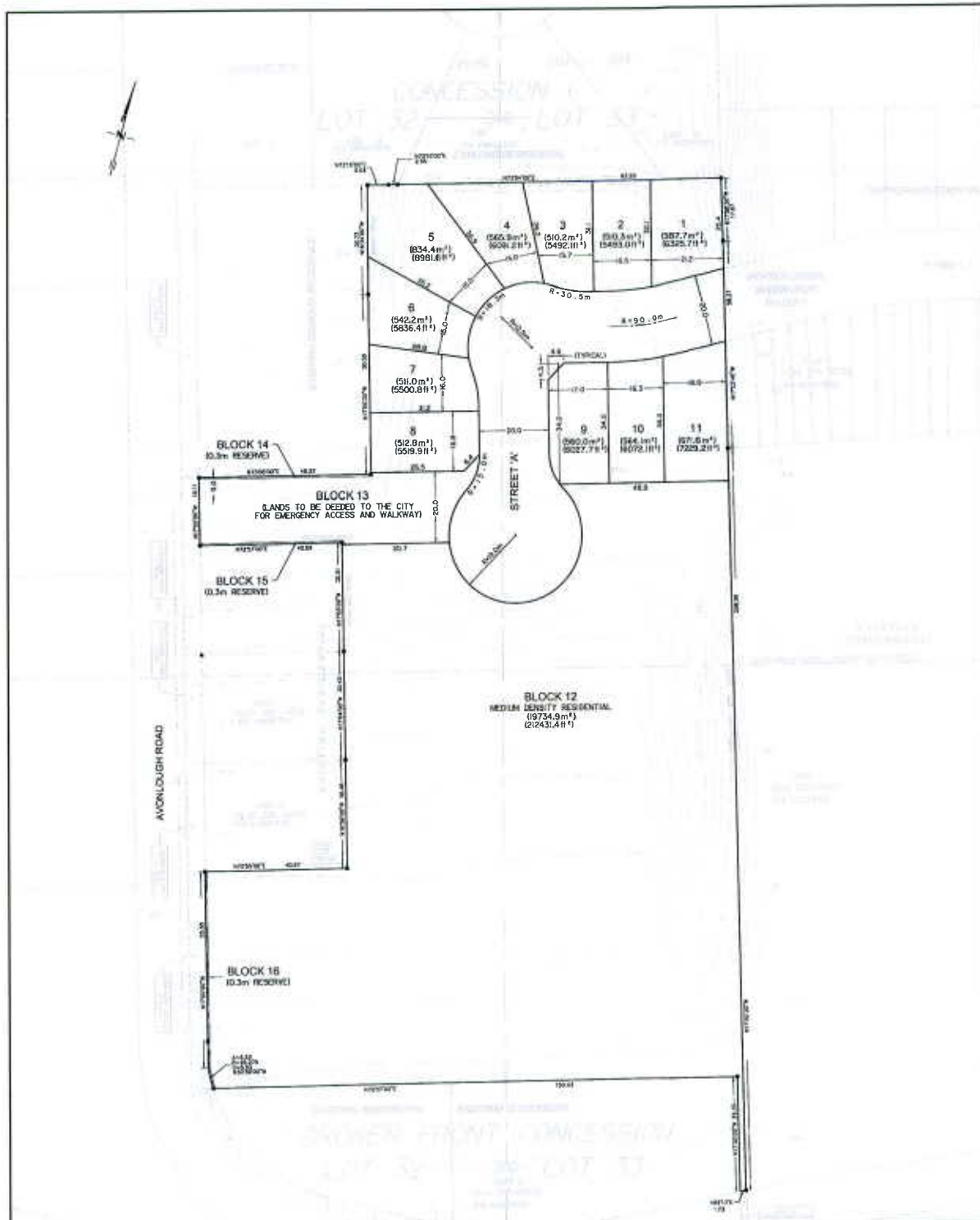
Location Map of Potters Creek – West

KEY MAP



APPENDIX 2

Proposed Draft Plan of Subdivision – Potters Creek - West



DRAFT PLAN OF SUBDIVISION
 PART 1, PLAN Z1R-1013,
 PART OF LOTS 32 & 33, CONCESSION 1,
 and
 PART OF LOTS 32 & 33,
 BROKEN FRONT CONCESSION,
 GEOGRAPHIC TOWNSHIP OF SIDNEY,
 NOW IN THE
 CITY OF BELLEVILLE,
 COUNTY OF HASTINGS
 SCALE 1:500



LAND USE SCHEDULE

LAND USE	AREA (m²)	PERCENTAGE (%)
Block 12 - MEDIUM DENSITY RESIDENTIAL	19734.9	64.0
Block 13 - LAND TO BE DEEDED TO THE CITY FOR EMERGENCY ACCESS AND WALKWAY	1917	4.4
Block 14 - 10.3m RESERVE	1810	5.1
Block 15 - 10.3m RESERVE	1810	5.6
Block 16 - 10.3m RESERVE	1810	6.6
TOTAL	30671.5	100.0

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 (17) OF THE PLANNING ACT

- 01 SEE SURVEYORS CERTIFICATE
- 02 AS SHOWN ON DRAFT PLAN
- 03 AS SHOWN ON DRAFT PLAN
- 04 SEE DRAFT PLAN
- 05 AS SHOWN ON DRAFT PLAN
- 06 AS SHOWN ON DRAFT PLAN
- 07 MAINTENANCE, WALKWAY AND SIGNAGE MARKERS
- 08 SHALL BE LOW BUSH BORDERS
- 09 AS SHOWN ON DRAFT PLAN
- 10 AS SHOWN ON DRAFT PLAN
- 11 MAINTENANCE, SCHOOL, BUS, ETC.
- 12 AS SHOWN ON DRAFT PLAN

METRIC NOTE:
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

CONTIGUOUS NOTE:
 CONTOURS PREPARED USING DATA OBTAINED BY 01-4-08 CONTOURS DRAWN AT INTERVALS OF 0.5m.

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT THE DIMENSIONS OF THE LAND TO BE SUBDIVIDED ARE CORRECTLY SHOWN.
 R.K. Harris
 2013
 ROBERT K. HARRIS
 ONTARIO LAND SURVEYOR
 GIFFORD HARRIS SURVEYING LTD.
 88-888 SHELLEY ROAD, TROTTER ONTARIO
 M2H 3S9 (CITY & COUNTY OF BRANT)

METRIC NOTE:
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

CONTIGUOUS NOTE:
 CONTOURS PREPARED USING DATA OBTAINED BY 01-4-08 CONTOURS DRAWN AT INTERVALS OF 0.5m.

Proposed Draft Plan Conditions

- Academy Place -

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

No.	Conditions
1.	<p>That this approval applies to the draft plan of subdivision, prepared by RFA Planning Consultant Inc., dated September 19, 2013, to show a total of:</p> <ul style="list-style-type: none">• Eleven (11) blocks for semi-detached dwellings [Blocks 1 to 11 inclusive];• one (1) block for medium density residential [Block 12];• one (1) walkway block [Block 13];• three (3) blocks for 0.3 metre reserves [Blocks 14 to 16 inclusive].
2.	<p>That such easements as may be required for utility, telecommunication services, drainage or servicing purposes shall be conveyed to the appropriate authority.</p>
3.	<p>That any dead ends and open sides of road allowance created by this draft plan be terminated in 0.3 m reserves to be conveyed to, and held in trust by, the City of Belleville.</p>
4.	<p>That the road allowance included in this draft plan, including any required daylighting triangles, shall be shown and dedicated as a public highway.</p>
5.	<p>That the street shall be named to the satisfaction of the City of Belleville.</p>
6.	<p>That prior to the final approval of the plan, the Owner shall retain a professional engineer to design, to the satisfaction of the City of Belleville, the street within this subdivision. The street within the subdivision will be constructed with a local road cross-section.</p>
7.	<p>That prior to final approval, the Owner agrees in writing in the subdivision agreement to design and construct a 1.5 metre wide concrete sidewalk along one side of Street 'A'. The City will finalize the location of the sidewalk during the review of the engineering drawings.</p>
8.	<p>That prior to final approval, the Owner agrees in writing in the subdivision agreement to design and construct an emergency access road and walkway between Street 'A' and Avonlough Road on Block 13, to the satisfaction of the City.</p>

9. That prior to final approval, a sanitary sewer and watermain servicing report must be prepared, to the satisfaction of the City, outlining the upgrades required to the existing and proposed sanitary sewer system and water system to service the subject lands.
10. That prior to final approval, a geotechnical report must be prepared, to the satisfaction of the City, which addresses any problems that may arise in the proposed subdivision due to soil type and groundwater levels. It should also address the required pavement designs for the roads within the proposed subdivision.
11. A Hydrogeological Report is required that indicates the impact of this proposed subdivision, including the excavation of trenches and basements, on the groundwater resources of the area including the impact on existing wells, and the impact on existing septic systems. A baseline survey and evaluation of potential impacts is to be completed. In addition the elevation of the high ground water level and the permanent ground water level as they relate to the building footing elevations will need to be addressed. Final approval may not be granted unless the report can demonstrate that there will be no impact, or an acceptable impact on the groundwater supplies and the septic systems for the surrounding land. Additional reports will be required after the work is completed to confirm that there has been no appreciable impact on the groundwater supplies or septic systems for the surrounding land. If there is an appreciable impact on the existing wells of the area residents the Owner will be required to provide them with a potable water source. The Agreement will include a requirement for the Owner to put up a Letter of Credit to cover the possibility of a potable water supply being needed. Any impact to septic systems will need to be remedied by the Owner to the satisfaction of the City.
12. That prior to final approval, the Owner shall agree in writing in the subdivision agreement to design and construct all servicing requirements (roads, sidewalks, water, sanitary, storm, electrical, etc.) for this plan of subdivision, including any work required outside the limits of the subdivision, to the specifications of the approving authorities (the City of Belleville, Belleville Water, Hydro One, etc.) and the cost thereof shall be paid by the Owner.
13. The Owner is responsible to provide all services, including road maintenance, unless and until assumed in writing by the City of Belleville.
14. That all street lighting required for the subdivision be completed to the satisfaction of the City of Belleville.
15. That prior to the commencement of any grading or construction on site, or final registration of the plan, the Owner shall submit and obtain approval of the City of Belleville and Quinte Conservation for reports describing the following:
 1. a detailed Stormwater Management Plan which outlines the intended means of controlling stormwater runoff in terms of quantity, frequency and

duration of events up to and including the regional storm;

2. the intended means of conveying stormwater flows from the site and external areas that drain through the subdivision, including the location and design of water quality and quantity controls and facilities using stormwater management techniques outlined in provincial guidelines;
 3. an assessment of the major and minor flow systems, identifying pre- and post- construction volumes, depths, velocities, points of discharge, and proposed methods for outlet treatment;
 4. an Erosion and Sediment Control Plan detailing the means by which erosion and sedimentation and their effects will be minimized on the site during and after construction in accordance with provincial guidelines. The report must outline all actions to be taken to prevent an increase in the concentration of solids in any water body as a result of on-site, or other related works;
 5. site grading plan, including pre-development and final scenarios;
16. That the Owner agrees in the subdivision agreement, in wording acceptable to the City of Belleville:
1. to cause to be carried out the works referred to in Condition 15;
 2. to design and implement on-site erosion and sediment control, in order to meet the requirements of the City of Belleville and Quinte Conservation;
 3. to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair, in a manner satisfactory to the City of Belleville and Quinte Conservation until accepted by the City.
17. That at the time of the final registration of this plan, the Owner shall make a cash-in-lieu payment to the Municipality equal to 5% of the value of the land within this plan for park purposes.
18. That the Owner shall comply with the requirements of Canada Post with respect to the provision of mail delivery to the subdivision. The location of community mailboxes for mail delivery, to service this subdivision, shall be located to the satisfaction of Canada Post and the City of Belleville.
19. That the subdivision agreement between the Owner and the City of Belleville and all Offers of Purchase and Sale and any subsequent Offers of Purchase and Sale related to the creation of future residential units on those lots identified as adjacent to a potential Community Mailbox site shall include a warning clause identifying the location of the community mailbox to the potential purchasers of those lots that are situated adjacent to a community mailbox site.

20. That the subdivision agreement between the Owner and the City of Belleville shall contain the following warning clause:

NOTE: Purchasers are advised that it is unlikely that there will be door-to-door mail delivery within this subdivision. Canada Post intends to service this property through the use of community mailboxes which may be located in several locations within this subdivision.

21. That prior to final approval of the plan, the Owner shall retain a consultant, approved by the City of Belleville, to complete and submit to the City of Belleville for its approval, an acoustical report, recommending noise control features due to the nearby rail line.

22. That prior to final approval of the plan, the Owner shall agree in writing in the subdivision agreement to implement the noise control features recommended by the acoustical report referred to in Condition 21.

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

WARNING: Canadian Pacific Railway Company or their assigns or successors in interest have a right-of-way within 300 metres from the land subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-ways in the future including the possibility that the railways or their assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings(s). The Canadian Pacific Railway Company will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.

24. That prior to the final approval of the plan, Bell Canada, Union Gas, Cogeco Cable and Hydro One shall confirm that satisfactory arrangements, financial and otherwise, have been made for any communications and utility facilities servicing this plan of subdivision, which facilities are required by the City of Belleville to be installed underground.

25. That prior to final approval of the plan, appropriate zoning shall be in effect for all the lands in the proposed subdivision.

26. That the Owner and all encumbrancers (mortgagees) shall enter into a subdivision agreement with the City of Belleville. Without limiting the generality of the foregoing, the Owner shall agree in writing to satisfy all the requirements, financial and otherwise, of the City of Belleville, including the provision of roads, sidewalks, boulevards, installation of services, stormwater management and drainage.

27. That the subdivision agreement between the Owner and the City of Belleville shall be registered against the lands to which it applies once the plan of subdivision has been registered.
28. That prior to final approval of the plan, the Owner shall provide the City of Belleville with a phasing and servicing plan detailing how the timing of this development is to be phased and serviced.
29. That the subdivision agreement between the Owner and the City of Belleville contain phasing arrangements to the satisfaction of the Municipality.
30. That prior to final approval of each phase of this plan, the Owner shall demonstrate to the municipality that there is an adequate supply of potable water and sanitary sewer capacity to service this subdivision as it is developed.
31. That the Owner shall agree in the subdivision agreement that no building permits will be applied for or issued until the City of Belleville is satisfied that adequate road access, municipal water supply, hydro service, sanitary sewers, and storm drainage facilities are available to service the proposed development.
32. That prior to final approval, the City of Belleville is advised by a letter on behalf of Quinte Conservation how Conditions 15 and 16 have been satisfied.
33. That prior to final approval, the City of Belleville is advised by letter by Canada Post how Conditions 18 and 19 have been satisfied.
34. That prior to final approval, the City of Belleville is advised by letter by Bell Canada, Union Gas, Cogeco Cable and Hydro One how Condition 24 has been satisfied.

NOTES TO DRAFT APPROVAL

1. It is the Owner's responsibility to satisfy all conditions of draft approval in an expeditious manner. The conditions of draft approval may be reviewed periodically and may be amended by the City of Belleville at any time prior to final approval. The *Planning Act*, R.S.O. 1990, c. P.13, as amended, provides that draft approval may be withdrawn at any time prior to final approval.
2. We suggest that you make yourself aware of:
 - 1) Section 143(1) of the Land Titles Act, which requires all new plans be registered in a land titles system;
 - 2) Section 143(2) allows certain exceptions.
3. Clearance is required from the following agencies:

Quinte Conservation
R.R. #2
P.O. Box 328
Belleville, Ontario
K8N 4Z2 Tel: (613) 968-3434

Bell Canada
Right of Way
Floor 5
100 Borough Drive
Scarborough, Ontario
M1P 4W2 Tel: (416) 296-6291

Ms. Diana Adamowicz, Delivery Planner
Delivery Planning
Canada Post
1424 Caledon Place
Box 25
Ottawa, Ontario
K1A 0C1 Tel: (613) 734-1681

4. Further red-line revisions to the draft plan may be required to incorporate changes required through the review and approval of studies and plans yet to be finalized and approved by the City of Belleville, and Quinte Conservation.
5. All measurements in subdivision final plans must be presented in metric units.
6. Registration:

The final plan approved by the City of Belleville must be registered within 30 days of approval or the City of Belleville may withdraw its approval under Section 51(59) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.
7. That the payment of development charges will be required prior to the issuance of any building permits for any lots in the subdivision, in accordance with the City of Belleville's Development Charges By-law.
8. This draft plan approval expires on November 12, 2015 if all the conditions contained herein are not satisfied by that date. The Owner shall apply for any extension at least 60 days prior to the lapsing date and such request for an extension shall not be unreasonably withheld.

**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
2012				
B-77-915	May 2/12	Monty Smith	<i>South Front Street</i> Zoning By-Law amendment to allow 2-unit residential dwelling previously deferred. Re-submitted application to permit 4 units.	Public Mtg: Dec 2/13
B-77-921	July 4/12	Shady Ridge Stock Farms Inc.	<i>West of Windwhisper Drive, Thurflow</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-77-923	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 PAC Decision: Denied Council Decision: Return to Oct 1/12 PAC PAC Decision: Denied Council Decision: Denied Oct 9/12 Appeal Date: Nov 1/12 Applicant Appealed to OMB - File Forwarded Nov 1/12 OMB Hearing Date: May 1/13 OMB Approved May 29/13 Waiting for By-Law
B-77-928	Oct 31/12	Settlers Ridge Developments Inc. RFA Planning Consultant Inc.	<i>Phase 2 Settlers Ridge Developments</i> Zoning By-Law amendment to permit Phase 2 expansion of Settlers Ridge subdivision (290 units proposed)	Public Mtg: Dec 3/12 PAC Decision: Deferred pending service details & Quinte Conservation report

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

FILE NO.	DATE REC'D	APPLICANT/OWNER/AGENT	PROPOSAL	STATUS
2013				
B-77-944	July 3/13	Brian & Karen Rosebush Watson Land Surveyors Ltd.	25 Blessington Road, Thurlow Zoning By-Law amendment to permit a proposed heating & plumbing shop with associated parking of trucks as well as allowance for a future store & lock facility. The severed parcel is to be rezoned to recognize the existing single detached dwelling.	Public Mtg: Aug 6/13 PAC Decision - Deferred pending Property Standards Order
B-77-946	Aug 1/13	Bax Vintage Homes RFA Planning Consultant Inc. Stanley Park Limited	East of Avonlough Road Potters Creek Parrotts Land Zoning By-Law amendment to permit eleven (11) duplex dwellings & two (2) three (3) storey apartment buildings each proposed to contain 36 units.	Public Mtg: Sept 3/13 PAC Decision: Deferred pending sightline review. Revised proposal with cul-de-sac.
B-77-947	Oct 2/13	Allan & Phyllis Lott Watson Land Surveyors Ltd.	1297 Zion Road, Thurlow Zoning By-Law amendment to allow severed farmland to be rezoned to not permit the construction of a residential dwelling	Public Mtg: Nov 4/13
B-77-948	Oct 4/13	Alan Kelly Paul Kelly (1993) Ltd.	190 Herchimer Avenue Zoning By-Law amendment to permit a portion of the building to be used as a medical clinic to house physiotherapists	Public Mtg: Nov 4/13
B-77-949	Oct 30/13	Geertsma Homes Ltd.	200 Haig Road Zoning By-Law amendment to permit a 6 unit apartment.	Public Mtg: Dec 2/13