

CITY OF BELLEVILLE CITY COUNCIL PLANNING COMMITTEE

MINUTES

June 3, 2013

In accordance with advertisements placed in the press with respect to applications from Potters Creek Developments Inc., Elaine McMurter and Quinte Health Care Corporation, a Public Meeting was held in the City Hall Council Chamber on the above date at 5:30 p.m. for the purpose of receiving submissions in connection with the applications.

In accordance with an advertisement placed in the press pursuant to Section 12 of the Development Charges Act, 1997, a Public Meeting was held in the City Hall Council Chamber on the above date at 5:30 p.m., for the purpose of receiving representations relating to The Development Charges Act, 1997, regarding the City's proposed renewal of the Area Specific Development Charges By-law and underlying background study for the Stanley Park Development Area.

PRESENT:

Councillor Jackie Denyes, Chair
Councillor Pat Culhane
Councillor Jack Miller

Councillor Taso Christopher
Councillor Jodie Jenkins

ABSENT

Councillor Tom Lafferty

STAFF PRESENT:

Mr. Rod Bovay, Director of Engineering and Development Services
Mr. Art MacKay, Manager of Policy Planning
Mr. Spencer Hutchison, Manager of Approvals
Mr. Matt MacDonald, Acting Director of Corporate Services/Clerk

The Chair proceeded to call the Public Meeting to order and outlined, for the benefit of those present, the procedure to be followed with respect to the hearing of presentations.

1. OPENING REMARKS BY THE CHAIR

"The Public Meeting is being heard by the City Council Planning Advisory Committee and public notice has been given in accordance with the Planning Act. The non-elected members of the Planning Advisory Committee are Mr. Michael Graham, Mr. David Joyce, Mr. Mike Letwin and Mr. Ross Rae. Citizen appointees may ask questions and participate in the discussion in order

to assist in making recommendations to City Council but may not make motions or vote in connection with the Public Meeting.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Planning Committee or City Council before the by-law is passed, the person or public body is not entitled to appeal the decision of City Council or the Planning Committee to the Ontario Municipal Board.

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

Any persons wishing to be advised of the Belleville Planning Advisory Committee's recommendation with respect to today's applications are requested to leave their name and address on the appropriate notification sheet located on the clipboard beside the podium. In general, any recommendation made today will be forwarded to the next City Council meeting."

2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

There were no Disclosures of Pecuniary Interest.

3. PUBLIC MEETING - THE PLANNING ACT

3.1 PROPOSED AMENDMENTS TO ZONING BY-LAW NUMBER 2076-80, AS AMENDED – PART OF LOTS 33 AND 34, CONCESSION 1, AND PART OF LOT 33, CONCESSION BROKEN FRONT AND PART OF LOT 9, PLAN 799, FORMER TOWNSHIP OF SIDNEY, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS FILE NO.: B-77-938 APPLICANT/OWNER: POTTERS CREEK DEVELOPMENTS INC. AGENT: RFA PLANNING CONSULTANT INC.

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

"The application pertains to a portion of a draft approved plan of subdivision located west of Avondale Road. In 2007 a public meeting was held to consider a rezoning and draft plan of subdivision approval for the proposed 'Neighbourhoods of Avonshire' development comprising a total area of approximately 98 hectares of land and proposing a total of 1,753 residential dwelling units. At that time, the rezoning was deferred and subsequently, in April 2008, City Council granted draft plan of

subdivision approval for a total of 790 residential units to be located on approximately 47 hectares of the overall land holding.

Property ownership of the subject land has since changed and in 2010 Phases 1 and 2 of the 'Potters Creek' subdivision was 'red-lined' and rezoned to permit 129 residential units. The current application pertains to Phase 3 of the subdivision comprising approximately 13.2 hectares of the larger land holding. At the time of the 2008 draft approval, this Phase was proposed to comprise a total of 144 residential dwelling units. The current application proposes a total of 164 residential units comprising 101 townhouse units, 10 duplex dwellings, 12 semi-detached units and 41 single detached units. To accommodate these proposed uses the applicant requests a special 'R2 – Residential Second Density' zone for single detached units (15 m. frontages), special 'R4 - Residential Fourth Density' zones, respectively, for other single detached lots (12 m. frontages), the duplex dwellings and the semi-detached units and, finally, special 'R5 – Residential Fifth Density' zones for the townhouse units. In addition, approximately 1.6 hectares is being rezoned for parkland and 1.5 hectares for a storm pond. The current zoning is 'CD – District Commercial' and 'UH – Urban Holding'. The applicant has also requested that the draft approved lot fabric be 'red-lined' to accommodate these changes.

The land is described as Part of Lots 33 and 34, Concession 1, Part of Lot 33, Concession Broken Front and Part of Lot 9, Registered Plan 799, former Township of Sidney, now in the City of Belleville, County of Hastings.

OFFICIAL PLAN:

The land is designated 'Residential' in the Official Plan as part of the Loyalist Planning Area. Residential development is permitted in the 'Residential' designation subject to satisfying various policies.

ZONING BY-LAW:

The land is zoned 'CD – District Commercial' and 'UH - Urban Holding' in Zoning By-Law Number 2076-80, as amended. Special 'R2 – Residential Second Density', 'R4 - Residential Fourth Density' and 'R5 – Residential Fifth Density' zones are requested to permit a range of single detached, duplex, semi-detached and townhouse units comprising a total of 164 units. A proposed park and storm pond are to be rezoned to 'O1 – Open Space' and a special 'CF - Community Facility', respectively."

Ms. Ruth Ferguson Aulhouse, agent for the applicant, was in attendance to provide further information and answer questions pertaining to the application.

No persons responded to the Chair's call upon those wishing to speak either for or against the application.

Moved by Councillor Culhane
Seconded by Councillor Miller

THAT the "Potters Creek Developments Inc."
Planning Application be referred to the Regular
Planning Meeting for further consideration

- CARRIED -

**3.2 PROPOSED AMENDMENTS TO ZONING BY-LAW NUMBER 3014, AS
AMENDED – 1602 CASEY ROAD, FORMERLY IN THE TOWNSHIP OF
THURLOW, NOW IN THE CITY OF BELLEVILLE, COUNTY OF
HASTINGS
FILE NO.: B-77-939
APPLICANT/OWNER: ELAINE McMURTER
AGENT: COURTNEY McMURTER**

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

"The applicant requests a rezoning for land that is subject to a severance application granted by the Committee of Adjustment on September 6, 2012 (Committee File #B 33/12).

The severed parcel is zoned 'PA-19 – Prime Agriculture' and the applicant is requesting a rezoning to 'RR – Rural Residential' to permit the construction of a single detached dwelling on approximately 4,400 square metres of land. The retained parcel – approximately 16.6 hectares of lot area – is currently zoned 'PA-19', 'PA', 'RU – Rural' and 'H – Hazard'. The applicant has requested that the retained land – located outside the 'H' zone – be rezoned to a single 'RU' zone classification. This land is used for farming and will continue to be used for that purpose.

The land is described municipally as 1602 Casey Road, Township of Thurlow, now in the City of Belleville, County of Hastings.

OFFICIAL PLAN:

The land is designated 'Rural Land Use' in the Official Plan which permits both residential and farm uses subject to satisfying various requirements.

ZONING BY-LAW:

The subject land is zoned 'PA-19 – Prime Agriculture', 'RU – Rural' and 'H – Hazard' with a small remnant portion zoned 'PA' south of the 'H' zoned area. The land is also subject to Committee of Adjustment Severance File #B 33/12, granted by the Committee on September 6, 2012. The applicant requests a rezoning to 'RR – Rural Residential' for the proposed severed parcel and also requests a single 'RU' zone for that portion of the

retained parcel located outside the 'H' zone. The minimum requirements for a residential dwelling in the 'RR' zone is 45 metres of lot frontage and 4,047 square metres of lot area and the minimum requirements for a farm in the 'RU' zone is 70 metres of lot frontage and 6 hectares of lot area. Both the proposed severed and retained parcels comply with these minimum requirements."

No persons responded to the Chair's call upon those wishing to speak either for or against the application.

Moved by Councillor Jenkins
Seconded by Councillor Christopher

THAT the "Elaine McMurter" Planning Application be referred to the Regular Planning Meeting for further consideration

- CARRIED -

3.3 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – PROPOSED TEMPORARY USE BY-LAW – 5 FIRST STREET AND 29, 31 BAY DRIVE, CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NO.: B-77-940
APPLICANT/OWNER: QUINTE HEALTH CARE CORPORATION
AGENT: RFA PLANNING CONSULTANT INC.

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

"The applicant requests a Temporary Use By-law to permit 5 First Street and 29 and 31 Bay Drive to be used for parking of construction office trailers for a period of one (1) year, to accommodate on-going construction projects at the Belleville General Hospital. All three properties are currently vacant.

The subject properties are described as Lots 15, 112 and 113 on Plan 812, municipally known as 5 First Street and 29 and 31 Bay Drive, City of Belleville, County of Hastings.

OFFICIAL PLAN:

The properties are designated 'Community Facility' in the City's Official Plan. The Official Plan permits Council to pass Temporary Use By-laws for a period of time of up to three (3) years, subject to satisfying various policies.

ZONING BY-LAW:

The properties are zoned 'R2-3 – Residential Second Density' in Zoning By-law Number 10245, as amended. The applicant requests a Temporary Use By-law to permit parking of construction office trailers for a period of one (1) year."

Ms. Ruth Ferguson Aulthouse, agent for the applicant, was in attendance to provide further information and answer questions pertaining to the application.

No persons responded to the Chair's call upon those wishing to speak either for or against the application.

Moved by Councillor Christopher
Seconded by Councillor Jenkins

THAT the "Quinte Health Care Corporation" Planning Application be referred to the Regular Planning Meeting for further consideration

- CARRIED -

4. PUBLIC MEETING – THE DEVELOPMENT CHARGES ACT

4.1 THE DEVELOPMENT CHARGES ACT, 1997 – STANLEY PARK DEVELOPMENT AREA

A Public Meeting was held pursuant to Section 12 of the Development Charges Act, 1997.

Section 12 states:

- "12.(1) Before passing a development charge by-law, the council shall:
- (a) hold at least one public meeting;
 - (b) give at least 20 days notice of the meeting or meetings in accordance with the regulations; and,
 - (c) ensure that the proposed by-law and the background study are made available to the public at least two weeks prior to the meeting or, if there is more than one meeting, prior to the first meeting.

Making representations

- (2) Any person who attends a meeting under this section may make representations relating to the proposed by-law.

Council determination is final."

In order to comply with the Act, the City invited all interested parties to attend the Public Meeting of Council and any person who attended the meeting could make representations relating to the proposed renewal of the Area Specific By-law and underlying background study for the Stanley Park Development.

Copies of the proposed by-law and background study were available on May 17, 2013 from the Acting Director of Corporate Services/Clerk.

Mr. Andrew Grunda from Watson and Associates was in attendance to answer questions on behalf of The Corporation of the City of Belleville regarding the proposed renewal of the Area Specific Development Charges By-law and underlying background study for the Stanley Park Development Area.

No persons responded to the Chair's call upon those wishing to make representations related to the proposed renewal of the Development Charges By-law.

Moved by Councillor Miller
Seconded by Councillor Christopher

THAT the Area Specific Development Charges By-law
for the Stanley Park Development Area be received
and referred to Council.

- CARRIED -

5. ADJOURNMENT

Moved by Councillor Christopher
Seconded by Councillor Culhane

THAT the Public Meeting be adjourned.

- CARRIED -

**CITY OF BELLEVILLE
PLANNING ADVISORY COMMITTEE MEETING**

MINUTES

June 3, 2013

A Regular Meeting of the Belleville Planning Advisory Committee was held in the City Hall Council Chamber on the above date at 5:30 p.m.

1. ATTENDANCE

Councillor Jackie Denyes, Chair
Councillor Pat Culhane
Councillor Jodi Jenkins
Councillor Jack Miller

Mr. David Joyce
Mr. Mike Letwin
Mr. Michael Graham
Mr. Ross Rae

ABSENT

Councillor Tom Lafferty

STAFF PRESENT

Mr. Rod Bovay, Director of Engineering and Development Services
Mr. Art MacKay, Manager of Policy Planning
Mr. Spencer Hutchison, Manager of Approvals
Mr. Matt MacDonald, Acting Director of Corporate Services/Clerk

2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

There were no Disclosures of Pecuniary Interest.

3. CONFIRMATION OF MINUTES

- 3.1 Minutes of the City Council Planning Committee Meeting and Planning Advisory Committee Meeting held on May 6, 2013 had been circulated.

Moved by Mr. Letwin
Seconded by Mr. Joyce

THAT the Minutes of the City Council Planning Committee Meeting and the Planning Advisory Committee Meeting held on May 6, 2013 be approved and adopted.

- CARRIED -

4. **DEPUTATIONS**

- 4.1 Mr. Ian Brady addressed the Committee regarding the Brownfields Community Improvement Plan Application for the former Bakelite site at 621 Dundas Street East.
Reports Item 7.1 refers.

Moved by Councillor Miller
Seconded by Mr. Rae

THAT the deputation of Mr. Ian Brady regarding the Brownfields Community Improvement Plan Application for the former Bakelite site at 621 Dundas Street east be received and referred to Reports Item 7.1.

- CARRIED -

5. **COMMUNICATIONS**

- 5.1 Letter from A.H. Nobes objecting to an application for Zoning By-law Amendment for 29 and 31 Bay Drive.
Referrals from Public Meeting 6.1 refers.

Moved by Councillor Culhane
Seconded by Mr. Graham

That the letter from A.H. Nobes objecting to an application for Zoning By-law Amendment for 29 and 31 Bay Drive be received and referred to Referrals from Public Meeting 6.3.

- CARRIED -

6. **REFERRALS FROM PUBLIC MEETING**

- 6.1 **PROPOSED AMENDMENTS TO ZONING BY-LAW NUMBER 2076-80, AS AMENDED – PART OF LOTS 33 AND 34, CONCESSION 1, AND PART OF LOT 33, CONCESSION BROKEN FRONT AND PART OF LOT 9, PLAN 799, FORMER TOWNSHIP OF SIDNEY, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NO.: B-77-938
APPLICANT/OWNER: POTTERS CREEK DEVELOPMENTS INC.
AGENT: RFA PLANNING CONSULTANT INC.

The Planning Advisory Committee considered the “Potters Creek Developments Inc.” Planning Application in light of the Public Meeting.

Moved by Councillor Miller
Seconded by Councillor Christopher

THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City’s Zoning By-law Number 2076-80, as amended for Part of Lots 33 and 34, Concession 1 and Part of Lot 33, Concession Broken Front and Part of Lot 9, Plan 799, 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 “CD – District Commercial” and “UH – Urban Holding” to special “R2 – Residential Second Density”, “R4 – Residential Fourth Density” and “R5 – Residential Fifth Density” zones, respectively, to permit 41 single detached dwellings, 10 duplex dwellings, 12 semi-detached dwellings and 101 townhouse units; as well as “O1 – Open Space” and a special “CF – Community Facility” zone to permit a park and storm pond. An “h – holding” zone shall be placed on the subject lands requiring the provision of a sanitary sewer outlet and a storm sewer outlet to the satisfaction of the City before development can occur.

- CARRIED -

**6.2 PROPOSED AMENDMENTS TO ZONING BY-LAW NUMBER 3014,
AS AMENDED – 1602 CASEY ROAD, FORMERLY IN THE
TOWNSHIP OF THURLOW, NOW IN THE CITY OF BELLEVILLE,
COUNTY OF HASTINGS
FILE NO.: B-77-939
APPLICANT/OWNER: ELAINE McMURTER
AGENT: COURTNEY McMURTER**

The Planning Advisory Committee considered the “Elaine McMurter” Planning Application in light of the Public Meeting.

Moved by Councillor Christopher
Seconded by Mr. Graham

THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-law Number 3014, as amended, for a portion of 1602 Casey Road, Formerly in the 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 a portion of the subject lands from "PA-19 – Prime Agriculture" and "PA – Prime Agriculture" to "RU – Rural" and "RR – Rural Residential".

- CARRIED -

**6.3 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245,
AS AMENDED – PROPOSED TEMPORARY USE BY-LAW – 5
FIRST STREET AND 29, 31 BAY DRIVE, CITY OF BELLEVILLE,
COUNTY OF HASTINGS
FILE NO.: B-77-940
APPLICANT/OWNER: QUINTE HEALTH CARE CORPORATION
AGENT: RFA PLANNING CONSULTANT INC.**

The Planning Advisory Committee considered the "Quinte Health Care Corporation" Planning Application in light of the Public Meeting and Communications Item 4.1.

Moved by Councillor Christopher
Seconded by Mr. Joyce

THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-law Number 10245, as amended, for the properties described as 5 First Street and 29, 31 Bay Drive, City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 10245, as amended, be amended to rezone the subject lands to permit a Temporary Use By-law for a period of one (1) year to allow the subject properties to be used for construction office trailers only and associated parking for QHC Belleville General Hospital, subject to the provision of one (1) driveway only for access to the proposed parking areas, located and constructed

in compliance with the City's Streets and Driveway Control By-law. Upon completion of the temporary use the lands at 29 and 31 Bay Drive shall be restored and re-grassed to their previous state.

- LOST -

Moved by Councillor Miller
Seconded by Mr. Letwin

THAT the Belleville Planning Advisory Committee reconsider the application to amend the City's Zoning By-law Number 10245, as amended, treating the properties described as 5 First Street and 29, 31 Bay Drive, City of Belleville, County of Hastings as two separate and distinct applications.

- CARRIED -

Moved by Mr. Letwin
Seconded by Mr. Graham

THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-law Number 10245, as amended, for the property described as 5 First Street, City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 10245, as amended, be amended to rezone the subject lands to permit a Temporary Use By-law for a period of one (1) year to allow the subject property to be used for construction office trailers only and associated parking for QHC Belleville General Hospital, subject to the provision of one (1) driveway only for access to the proposed parking area, located and constructed in compliance with the City's Streets and Driveway Control By-law.

- CARRIED -

Moved by Councillor Miller
Seconded by Councillor Jenkins

THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-law Number 10245, as amended, for the properties described as 29, 31 Bay Drive, City of Belleville, County of Hastings, be DENIED.

- CARRIED -

7. REPORTS

7.1 **REGISTRATION OF INTENT TO UTILIZE PROGRAMS – 621 DUNDAS STREET EAST, CITY OF BELLEVILLE, COUNTY OF HASTINGS** **APPLICANT: 2255718 ONTARIO INC.**

The Planning Advisory Committee considered the Manager of Policy Planning's Report No. PP-2013-20 and Deputations Item 5.1.

Moved by Councillor Miller
Seconded by Councillor Christopher

WHEREAS Program 3 – 'The City of Belleville Environmental Site Assessment Grant Program' under the City's Brownfields Community Improvement Plan gives the City the option to provide additional funding for properties deemed significant Brownfield sites;

AND WHEREAS the Belleville Planning Advisory Committee recognizes the significance of the property located at 621 Dundas Street East as a signature Brownfield site, as well as the challenges of cleaning up such a large complex property;

NOW THEREFORE, the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the Application for an additional \$20,000 under the City's Brownfields Community Improvement Plan by 2255718 Ontario Inc. for 621 Dundas Street East be APPROVED.

- CARRIED -

- 7.2 **REQUEST TO RED-LINE DRAFT APPROVED PLAN OF SUBDIVISION, "POTTERS CREEK" – PHASE 3, PART OF LOTS 33 AND 34, CONCESSION 1, PART OF LOT 33, BROKEN FRONT CONCESSION AND PART OF LOT 9, REGISTERED PLAN 799, TOWNSHIP OF SIDNEY, CITY OF BELLEVILLE (STREET "F"/DUNDAS STREET WEST)
OWNER: POTTERS CREEK DEVELOPMENTS INC.
AGENT: RFA PLANNING CONSULTANT**
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The Planning Advisory Committee considered the Manager of Approvals' Report No. APS-2013-19.

Moved by Councillor Christopher
Seconded by Mr. Letwin

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

THAT pursuant to Section 51(44) of the Planning Act, the Council of The Corporation of the City of Belleville approves the request to modify the draft approved Plan of Subdivision (File No.: 12T-06501) submitted by RFA Planning Consultant on behalf of Potters Creek Developments Inc., as shown on APPENDIX 2 attached to the Manager of Approvals Section Report No. APS-2013-19 and to amend the conditions of draft plan approval as shown on APPENDIX 4 attached to the Manager of Approvals Section Report No. APS-2013-19.

- CARRIED -

8. INFORMATION MATTERS

8.1 OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT MONITORING REPORT

Report to June 3, 2013.

Moved by Councillor Culhane
Seconded by Mr. Joyce

THAT the Official Plan and Zoning By-law Amendment Monitoring Report to June 3, 2013 be received.

- CARRIED -

9. GENERAL BUSINESS AND INQUIRIES

- 9.1 A question was asked regarding the status of the Ontario Municipal Board's decision concerning the Cloverbell appeal of Council's refusal to rezone to allow a casino.

The Director of Engineering and Development Services advised that staff had just been informed that the appeal was upheld by the Ontario Municipal Board and the potential casino use allowed.

10. ADJOURNMENT

Moved by Councillor Christopher
Seconded by Mr. Graham

THAT the Regular Planning Advisory Committee
Meeting adjourn.

- CARRIED -