

CITY OF BELLEVILLE CITY COUNCIL PLANNING COMMITTEE

MINUTES

September 4, 2012

In accordance with advertisements placed in the press with respect to applications from Cloverbell Developments Ltd. & 1255437 Ontario Inc. and Jenland Properties Limited, 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.

PRESENT:

Councillor Tom Lafferty, Chair
Councillor Taso Christopher
Councillor Pat Culhane

Councillor Jackie Denyes
Councillor Jack Miller

STAFF PRESENT:

Mr. Rick Kester, Chief Administrative Officer
Mr. Rod Bovay, Director of Engineering and Development Services/City Planner
Mr. Art MacKay, Manager of Policy Planning
Mr. Spencer Hutchison, Manager of Approvals
Ms. Julie Oram, Director of Corporate Services/City Clerk

The Chair then 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 application 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 AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED – PART OF LOT 3, CONCESSION 2, TOWNSHIP OF THURLOW, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS (NORTHWEST QUADRANT OF HIGHWAY #62 AND PROVINCIAL HIGHWAY #401)

FILE NUMBER: B-77-923
APPLICANT/OWNER: CLOVERBELL DEVELOPMENTS LTD. & 1255437 ONTARIO INC.
AGENT: JOHN HALLORAN

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

"The applicant requests consideration of an amendment to Zoning By-Law Number 3014, as amended, for approximately seven (7) hectares of vacant land that is located south of Millennium Drive and west of Highway # 62.

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

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

OFFICIAL PLAN:

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

ZONING BY-LAW:

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

Mr. Halloran was in attendance to answer any forthcoming questions from the Committee and advised that the request was to add one word (casino) to the present zoning.

Mr. Halloran provided an information package and draft concept plan to the Committee indicating a hotel, casino, complete with dining room, and fast food service.

Mr. Halloran noted that the site is closer to 401 than to Millennium Drive and that the owner intends to merge titles of two properties.

Mr. Halloran stated that an updated Traffic Study will be provided and a stormwater management plan/proposal has previously been prepared by MAC 5.

Mr. Halloran was aware of the complaint from Mr. Wood and would like the opportunity to resolve/discuss his objection indicating that there is, in fact, an industrial park in his backyard.

In reply to questions from the Committee, Mr. Halloran reviewed parking issues and advised that the casino and hotel will be built at the same time.

Mr. B. Pearsall of 99 Gavey Street appeared before the Committee questioning how the term "casino" is defined noting that there appears to be nothing to ensure development would occur and that the economic benefit to the City should be a concern.

Mr. Steve Paterson, Board Chair for the New Hope Christian Fellowship located at 151 Cloverleaf Drive appeared before the Committee and submitted petitions on behalf of the "Fellowship" and area residents objecting to the application.

Mr. Paterson expressed a concern as to the location for the casino and felt it should not be located in close proximity to residents, churches and child care facilities. Also the related noise and traffic will affect the local residents and suggested the casino be located in another part of the City.

Mr. Tom Wood of 120 Cloverleaf Drive appeared before the Committee to object to the application due to the increased traffic in the area and suggested the casino should be located on Bell Boulevard.

Mr. Ed Karkheck of 119 Cloverleaf Drive appeared before the Committee to object to the application due to the close proximity to the homes in the area.

Ms. Stacey McKeown of 956 Highway #37 appeared before the Committee and questioned the allotted 500 parking spaces.

Mr. Bovay stated that 300 slot machines are anticipated so parking should be sufficient; however the OLG will consider what the site can accommodate.

Moved by Councillor Denyes
Seconded by Councillor Culhane

THAT the "Cloverbell Developments Ltd. & 1255437 Ontario Inc." Planning Application be referred to the Regular Planning Meeting for further consideration.

- CARRIED -

- 3.2 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 2076-80, AS AMENDED – PART OF LOTS 32 TO 36, CONCESSION 2, TOWNSHIP OF SIDNEY, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS (BELL BOULEVARD CORRIDOR)**
FILE NUMBER: B-77-924
APPLICANT/OWNER: JENLAND PROPERTIES LIMITED
AGENT: AINLEY GROUP
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At the request of the Chair, the Manager of Policy Planning described the subject application as follows:

"The applicant requests consideration of an amendment to Zoning By-Law Number 2076-80, as amended, for approximately 107 hectares of vacant land that is located both north and south of Bell Boulevard.

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

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

OFFICIAL PLAN:

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

ZONING BY-LAW:

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

Ms. Heather Rielly of the Ainley Group (Agent) appeared before the Committee.

Ms. Rielly noted that the lands lying south of the hydro easement would not be included and that traffic and hydro geology studies will be undertaken once the use is determined. The applicant is keeping options open and concept drawings are being prepared for OLG application consideration. The site is accessible, visible and will enhance development potential.

Councillor Miller felt the area is too large and wondered if it could be reduced.

Ms. Rielly advised that "Jenland" has more than one location being considered.

Moved by Councillor Culhane
Seconded by Councillor Christopher

THAT the "Jenland Properties Limited" Planning Application be referred to the Regular Planning Meeting for further consideration.

4. **ADJOURNMENT**

Moved by Councillor Denyes
Seconded by Councillor Christopher

THAT the Public Meeting be adjourned.

- CARRIED -

**CITY OF BELLEVILLE
PLANNING ADVISORY COMMITTEE MEETING**

MINUTES

September 4, 2012

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 Tom Lafferty, Chair
Councillor Pat Culhane
Councillor Taso Christopher
Councillor Jackie Denyes
Councillor Jack Miller

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

STAFF PRESENT

Mr. Rick Kester, Chief Administrative Officer
Mr. Rod Bovay, Director of Engineering and Development Services/City Planner
Mr. Art MacKay, Manager of Policy Planning
Mr. Spencer Hutchison, Manager of Approvals
Ms. Julie Oram, Director of Corporate Services/City 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 August 7, 2012 had been circulated.

Moved by Councillor Miller
Seconded by Mr. Letwin

THAT the Minutes of the City Council Planning Committee Meeting and Planning Advisory Committee Meeting held on August 7, 2012, be approved as amended.

- CARRIED -

4. DEPUTATIONS

There were no Deputations.

5. COMMUNICATIONS

- 5.1 An August 21, 2012 letter from Tom Wood regarding Zoning By-Law Amendment Application B-77-923 was before the Committee. Referrals from Public Meeting Item 6.1 refers.

Moved by Councillor Miller
Seconded by Councillor Denyes

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

- CARRIED -

- 5.2 An August 27, 2012 e-mail from Scott Pordham, Area Planner, City of Quinte West regarding Zoning By-Law Amendment Application B-77-924 was before the Committee. Referrals from Public Meeting Item 6.2 refers.

Moved by Councillor Culhane
Seconded by Councillor Denyes

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

- CARRIED -

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

Moved by Councillor Miller
Seconded by Mr. Joyce

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

- CARRIED -

- 5.4 A September 4, 2012 e-mail from Mary Braini regarding Zoning By-Law Amendment Application B-77-924 was before the Committee. Referrals from Public Meeting Item 6.2 refers.

Moved by Mr. Letwin
 Seconded by Mr. Graham

THAT the September 4, 2012 e-mail from Mary Braini regarding Zoning By-Law Amendment Application B-77-924 be received and referred to Referrals from Public Meeting Item No. 6.2.

- CARRIED -

- 5.5 A September 4, 2012 e-mail from Dave Hamilton, on behalf of Autosystems, regarding Zoning By-Law Amendment Application B-77-924 was before the Committee. Referrals from Public Meeting Item 6.2 refers.

Moved by Councillor Miller
 Seconded by Mr. Graham

THAT the September 4, 2012 e-mail from Dave Hamilton, on behalf of Autosystems, regarding Zoning By-Law Amendment Application B-77-924 be received and referred to Referrals from Public Meeting Item 6.2.

- CARRIED -

6. REFERRALS FROM PUBLIC MEETING

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

In light of the Public Meeting together with consideration of the Manager of Policy Planning's Report No. AM-2012-20, the Planning Advisory Committee considered the "Cloverbell Developments Ltd. & 1255437 Ontario Inc." Planning Application. Communications Item 5.1 refers.

Moved by Councillor Culhane
Seconded by Mr. Letwin

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

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

- LOST -

Mr. Graham noted that he supports the casino, however, has a concern in regards to this location being near residences and the impact it will have on same.

Councillor Miller noted that there is no extra room for parking or expansion.

Councillor Denyes stated that it was not her preferred choice for a casino site.

Councillor Christopher stated he was encouraged by the response from the petitions presented.

Councillor Denyes noted that the City wants "best bang for the buck" and this site has no room for expansion, raceway, water park and is not a "destination", certainly not what she had envisioned.

Mr. Letwin questioned locations available for a casino that would be along Highway #401.

Mr. Joyce stated that the north side of Bell Boulevard which does have Highway #401 exposure was indentified.

Councillor Culhane noted she supports the residents.

Mr. Rae stated he struggles with site size and proximity to residential area. Mr. Rae felt it was more of an entertainment venue not destination and felt the property might be too small.

Moved by Councillor Miller
Seconded by Councillor Denyes

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

- CARRIED -

- 6.2 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 2076-80, AS AMENDED – PART OF LOTS 32 TO 36, CONCESSION 2, TOWNSHIP OF SIDNEY, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS (BELL BOULEVARD CORRIDOR)**
FILE NUMBER: B-77-924
APPLICANT/OWNER: JENLAND PROPERTIES LTD.
AGENT: AINLEY GROUP
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In light of the Public Meeting together with consideration of the Manager of Policy Planning's Report No. AM-2012-21, the Planning Advisory Committee considered the "Jenland Properties Ltd." Planning Application. Communications Items 5.2, 5.4 and 5.5 refer.

Moved by Mr. Joyce
Seconded by Councillor Culhane

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

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

Councillor Miller wondered if the owner would consider removing the southeast corner of the property adjacent to the residential holdings.

Mr. John Belanger advised that there are six proponents to date and he has no indication where they want to be. The owners want to leave their options open and he hesitated to make that decision. However, in order to move the application along, he would be agreeable to reduce the size by approximately 40 acres.

Subsequently, the Mover and Seconder agreed to amend the original resolution by adding "subject to removing the southeast corner along Bell Boulevard".

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

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

The amended resolution was - CARRIED -

Councillor Lafferty departed the meeting and Councillor Miller assumed the Chair.

7. REPORTS

- 7.1 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245 AS AMENDED – 68 AND 76 COLLEGE STREET EAST, CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-922
APPLICANT/OWNERS: DOMENICO, FIORINA & ELISABETTA RAPINO
AGENT: RFA PLANNING CONSULTANT INC.
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The Manager of Approvals Section's Report No. APS-2012-32 was before the Committee. Communications Item 5.3 refers.

Moved by Councillor Culhane
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 properties described as 68 and 76 College Street East, City of Belleville, County of Hastings, be APPROVED, as follows:

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

Councillor Lafferty reassumed the Chair.

Mr. Graham was pleased that the applicant has addressed the concerns expressed by the residents at the last meeting.

Mr. Hutchison advised that the tree ages are being considered and may be either replaced or retained.

In reply to a question from Councillor Christopher, Mr. MacKay advised that the residents were notified and provided with a revised site plan.

The above resolution was - CARRIED -

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

The Manager of Policy Planning's Report No. AM-2012-23 was before the Committee.

Moved by Councillor Miller
Seconded by Mr. Rae

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

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

With consent of the Committee Mr. Vin Bolton, 115 Donald Street spoke and requested to appear as a Deputation at the September 10, 2012 Council Meeting.

The above resolution was - CARRIED -

7.3 CITY CENTRE INTENSIFICATION PLAN

The Manager of Policy Planning's Report No. AM-2012-22 was before the Committee.

Moved by Mr. Letwin
Seconded by Councillor Denyes

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

Councillor Christopher inquired about restricting building heights.

Ms. Ruth Ferguson Aulhouse spoke with consent of the Committee and stated that building heights can be subject to further discussion.

The above resolution was - CARRIED -

8. INFORMATION MATTERS**8.1 OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT MONITORING REPORT**

Report to September 4, 2012 was before the Committee.

Moved by Mr. Graham
Seconded by Councillor Christopher

That the Official Plan and Zoning By-Law Amendments Monitoring Report to September 4, 2012 be received.

- CARRIED -

9. GENERAL BUSINESS AND INQUIRIES

9.1 Moved by Councillor Denyes
Seconded by Councillor Miller

THAT a letter be forwarded to the Ontario Municipal Board inquiring as to the status of the Appeal of Planning Application B-77-887.

- CARRIED -

10. **ADJOURNMENT**

Moved by Councillor Christopher
Seconded by Councillor Denyes

THAT the Regular Planning Advisory Committee Meeting
be adjourned.

- CARRIED -