

CITY OF BELLEVILLE CITY COUNCIL PLANNING COMMITTEE

MINUTES

January 7, 2013

In accordance with advertisements placed in the press with respect to Applications from Sandra and Alfred Sikma, Dr. Yaw Adu-Poku and Wade Ennis, 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:

His Worship Mayor Neil Ellis
Councillor Jackie Denyes
Councillor Jack Miller

Councillor Tom Lafferty, Chair
Councillor Taso Christopher

ABSENT:

Councillor Pat Culhane

STAFF PRESENT:

Mr. Rod Bovay, Director of Engineering and Development Services/City Planner
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 3014, AS AMENDED – 933 HIGHWAY #37, FORMERLY IN THE TOWNSHIP OF THURLOW, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-929
APPLICANT/OWNER: SANDRA & ALFRED SIKMA**

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

"The applicant requests a rezoning of land that is subject to a severance application granted by the Committee of Adjustment on November 15, 2012 (Committee File # B 46/12). The retained land (Parcel A on the attached map) is zoned 'PA – Prime Agriculture' and the applicant is requesting a special 'PA' zone to recognize an undersized farm parcel comprising an approximate area of 15.8 hectares. In addition, the applicant requests a rezoning of the proposed severed lot (Parcel B) from PA to 'RR – Rural Residential' to recognize the existing residential dwelling and garage on approximately 0.9 hectares of land. Finally, the applicant requests a rezoning to 'RR' for a registered vacant lot (Parcel C) comprising an area of approximately 0.58 hectares and which is proposed to be developed with a single detached dwelling.

The land is described municipally as 933 Highway 37, 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 – Prime Agriculture' in Zoning By-law Number 3014, as amended, and is subject to Committee of Adjustment Severance File # B 46/12, granted by the Committee on November 15, 2012. The applicant requests a rezoning to a special 'PA' zone for the proposed retained land to recognize a farm parcel of approximately 15.8 hectares. The applicant also requests a rezoning to 'RR – Rural Residential' for both the proposed severed lot which contains a single detached residential dwelling, as well as a registered lot which is proposed to be developed with a single detached dwelling."

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 Denyes

THAT the "Sandra & Alfred Sikma" Planning Application be referred to the Regular Planning Meeting for further consideration.

- CARRIED -

3.2 **PROPOSED AMENDMENTS TO THE OFFICIAL PLAN AND ZONING BY-LAW NUMBER 10245, AS AMENDED – 165 FOSTER AVENUE, CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-930
APPLICANT/OWNER: DR. YAW ADU-POKU
AGENT: RFA PLANNING CONSULTANT INC.**

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

"The site is currently developed with a medical office building that comprises a gross floor area of approximately 700 square metres. The land is designated 'Residential Land Use' in the Official Plan and zoned 'R4 - Residential Fourth Density' and the applicant has requested the amendments to permit the conversion of the building to a six (6) unit condominium apartment. The existing eight (8) space parking area in the front yard, as well as the south driveway, are to be removed and converted to green space. The north driveway is proposed to be widened approximately 0.6 metres.

The land comprises an area of approximately 1,010 square metres and is described municipally as 165 Foster Avenue, City of Belleville, County of Hastings.

OFFICIAL PLAN:

The land is designated 'Residential Land Use' and the applicant requests an amendment to permit medium density residential development at this location.

ZONING BY-LAW:

The land is zoned 'R4 – Residential Fourth Density' and the current medical office building has legal non-conforming protection under the provisions of the By-law. The applicant is requesting a rezoning to a 'R6 - Residential Sixth Density' zone, with special provisions, to permit the building's conversion to six (6) residential condominium units. The special provisions would recognize existing site conditions and driveway widening."

Ms. R. Ferguson Aulhouse, agent for the applicant, was in attendance to provide a summary of the project and speak in support of the application.

Ms. Melanie Barnes from 154 Foster Avenue addressed the Committee and stated that while she supported the Application she is concerned about the age and condition of the roads and sidewalks in the area.

Mr. Steve Hay from 168 Burnham Street advised the Committee that he is opposed to the Application as a result of concerns with privacy issues in his backyard due to the change of use and proposed development.

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

Moved by Councillor Miller
Seconded by Councillor Denyes

THAT the "Dr. Adu-Poku" 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 – 431 DUNDAS STREET WEST, CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-931
APPLICANT OWNER: WADE ENNIS
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At the request of the Chair, the Manager of Policy Planning described the subject Application as follows:

“The property and building is presently ‘R6-22 – Residential Sixth Density’ and has been occupied as a student residence, housing approximately 40 students. The applicant has requested a modification to the R6-22 zone to allow the building to be internally converted to permit 30 apartment dwelling units.

The land is described municipally as 431 Dundas Street West, City of Belleville, County of Hastings.

OFFICIAL PLAN:

The land is designated ‘Residential Land Use’ in the Official Plan. The policies of the ‘Residential Land Use’ designation permit a range of housing types and densities subject to satisfying various policies.

ZONING BY-LAW:

The subject land is zoned ‘R6-22 – Residential Sixth Density’ in Zoning By-law Number 10245, as amended, and was rezoned in 2003 to permit the building to be used as a student residence. The applicant requests a modification to the R6-22 zone to permit the existing student residences to be internally converted to regular apartment dwelling units, comprising 30 units in total.”

Mr. Douglas Corneal co-owner of property located at 423 Dundas Street West spoke in opposition to the Application and stated his concerns regarding runoff, garbage and privacy.

Mr. Chad Whitfield, co-owner of the subject property, spoke in support of the Application.

No other 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 Miller

THAT the “Wade Ennis” Planning Application be referred to the Regular Planning Meeting for further consideration.

- CARRIED -

4. **ADJOURNMENT**

Moved by Councillor Denyes
Seconded by Councillor Miller

THAT the Public Meeting be adjourned.

- CARRIED -

**CITY OF BELLEVILLE
PLANNING ADVISORY COMMITTEE MEETING**

MINUTES

January 7, 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 Taso Christopher
Councillor Jackie Denyes
Councillor Tom Lafferty
Councillor Jack Miller
Mayor Neil Ellis

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

ABSENT

Councillor Pat Culhane
Mr. Mike Letwin

STAFF PRESENT

Mr. Rod Bovay, Director of Engineering and Development Services/City Planner
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 December 3, 2012 had been circulated.

Moved by Mr. Graham
Seconded by Councillor Miller

THAT the Minutes of the City Council Planning Committee Meeting and the Planning Advisory

Committee Meeting held on December 3, 2012 be approved and adopted.

- CARRIED -

4. DEPUTATIONS

- 4.1 Simon Gill and Fred Zulkman of SunEdison addressed the Committee requesting municipal support of a ground mount solar project at Mudcat Road and Highway #37
Communications Item 5.1 refers
Reports Item 7.1 refers

Moved by Mr. Joyce
Seconded by Mr. Graham

THAT the deputation of Simon Gill and Fred Zulkman of SunEdison requesting municipal support of a ground mount solar project at Mudcat Road and Highway #37 be received and referred to Reports Item 7.1.

- CARRIED -

- 4.2 Robin Wentzel, Director Project Development of Water Power Group Limited Partnership addressed the Committee requesting municipal support of a Micro Waterpower Project at Latta on the Moira River
Communications Item 5.2 refers
Reports Item 7.2 refers

Moved by Councillor Miller
Seconded by Mr. Rae

THAT the deputation of Robin Wentzel, Director Project Development of Water Power Group Limited Partnership requesting municipal support of a Micro Waterpower Project at Latta on the Moira River be received and referred to Reports Item 7.2.

- CARRIED -

5. **COMMUNICATIONS**

- 5.1 November 12, 2012 letter from SunEdison regarding a ground mounted solar panel project and request for municipal support
Deputations Item 4.1 refers
Reports Item 7.1 refers

Moved by Mr. Graham
Seconded by Councillor Denyes

THAT the November 12, 2012 letter from SunEdison regarding a ground mounted solar panel project and request for municipal support be received and referred to Reports Item 7.1.

- CARRIED -

- 5.2 Request for Decision from Water Power Group Limited Partnership for a Micro Waterpower Project on the Moira River at Latta
Deputations Item 4.2 refers
Reports Item 7.2 refers

Moved by Mr. Graham
Seconded by Mayor Neil Ellis

THAT the Request for Decision from Water Power Group Limited Partnership for a Micro Waterpower Project on the Moira River at Latta, be received and referred to Reports Item 7.2.

- CARRIED -

- 5.3 Correspondence from SolPowered Energy Corp. regarding a rooftop solar power generation system at 435 Dundas Street West and request for municipal support

Moved by Mr. Joyce
Seconded by Mr. Rae

THAT the correspondence from SolPowered Energy Corp. regarding a rooftop solar power generation system at 435 Dundast Street West and request for municipal support be received and referred to Reports Item 7.3.

- CARRIED -

6. **REFERRALS FROM PUBLIC MEETING**

- 6.1 **PROPOSED AMENDMENTS TO ZONING BY-LAW NUMBER 3014, AS AMENDED – 933 HIGHWAY #37, FORMERLY IN THE TOWNSHIP OF THURLOW, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-929
APPLICANT/OWNER: SANDRA & ALFRED SIKMA
-

The Planning Advisory Committee considered the “Sandra and Alfred Sikma” Planning Application in light of the Public Meeting.

Moved by Councillor Christopher
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 933 Highway #37, 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 the subject lands from “PA – Prime Agriculture” to a special “PA” zone and to “RR – Rural Residential”.

- CARRIED -

- 6.2 **PROPOSED AMENDMENTS TO THE OFFICIAL PLAN AND ZONING BY-LAW NUMBER 10245, AS AMENDED – 165 FOSTER AVENUE, CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-930
APPLICANT/OWNER: DR. YAW ADU-POKU
AGENT: RFA PLANNING CONSULTANT INC.
-

The Planning Advisory Committee considered the “Dr. Yaw Adu-Poku” Planning Application in light of the Public Meeting.

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 that the application to amend the Official Plan and Zoning By-law Number 10245, as

amended, for 165 Foster Avenue, City of Belleville, County of Hastings, be APPROVED as follows:

1. That Subsection 3.10.2 e) of the Official Plan be amended so as to permit six (6) residential dwelling units as a permitted use on the subject land; and
2. That Zoning By-law Number 10245, as amended, be amended by rezoning the land from “R4 – Residential Fourth Density” to “R6 – Residential Sixth Density”, with special provisions, to permit the internal conversion of the existing commercial building to allow a total of six (6) residential dwelling units.

- CARRIED -

**6.3 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245,
AS AMENDED – 431 DUNDAS STREET WEST, CITY OF
BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-931
APPLICANT OWNER: WADE ENNIS**

The Planning Advisory Committee considered the “Wade Ennis” Planning Application in light of the Public Meeting.

Moved by Councillor Denyes
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 10245, as amended, for the property described as 431 Dundas Street West, 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 existing “R6-22 – Residential Sixth Density” zone to allow the existing building to be internally converted to permit 30 apartment dwellings. In addition an “h” holding symbol is to be attached to the site requiring site plan approval before development can occur.

- CARRIED -

7. **REPORTS**

7.1 **1460 MUDCAT ROAD & HIGHWAY #37, PART OF LOT 18, CONCESSION 6, TOWNSHIP OF THURLOW, NOW IN THE CITY OF BELLEVILLE - MUNICIPAL SUPPORT FOR A GROUND MOUNT SOLAR SYSTEM**

The Planning Advisory Committee considered the Manager of Policy Planning's Report No. PP-2013-04 in light of Deputations Item 4.1 and Communications Item 5.1.

Moved by Councillor Denyes
Seconded by Councillor Christopher

THAT the Belleville Planning Advisory Committee does not recommend to the Council of The Corporation of the City of Belleville that Council endorse the construction and operation by SunEdison of ground mounted solar photovoltaic panels at 1460 Mudcat Road, Part of Lot 18, Concession 6, Township of Thurlow, Now in the City of Belleville, County of Hastings, under the Ontario Feed-In Tariff Program.

- CARRIED -

Note: Prior to the passing of the motion Councillor Denyes read letters to the Committee from the Ontario Federation of Agriculture and Hastings Federation of Agriculture in addition to Resolutions from Haldimand and Simcoe Counties regarding preservation of agricultural lands in face of solar development projects.

7.2 **BED OF THE MOIRA RIVER - PART OF LOT 26, CONCESSION 7 – MUNICIPAL SUPPORT FOR WATERPOWER PROJECT**

The Planning Advisory Committee considered the Manager of Policy Planning's Report No. PP-2013-05 in light of Deputations Item 4.2 and Communications Item 5.2.

Moved by Councillor Miller
Seconded by Mr. Graham

THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that Council endorse the construction and operation by Water Power Group LP of a waterpower project at Part of Lot 26, Concession 7, part of the Bed of the Moira River in front of Lot 26, Concession 7, Township of Thurlow, now City of

Belleville, County of Hastings, being designated as Parts 2 and 5, Plan 21R-16469, under the Ontario Feed-In Tariff Program.

- CARRIED -

7.3 **435 DUNDAS STREET WEST, CITY OF BELLEVILLE, COUNTY OF HASTINGS – MUNICIPAL SUPPORT FOR ROOFTOP SOLAR POWER GENERATION PROJECT**

The Planning Advisory Committee considered the request for municipal support from SolPowered Energy Corp. in light of Communications Item 5.3.

Moved by Mayor Ellis
Seconded by Mr. Joyce

THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that Council endorse the construction and operation by SolPowered Energy Corporation of rooftop solar photovoltaic panels at 435 Dundas Street West, City of Belleville, County of Hastings, under the Ontario Feed-In Tariff Program.

Councillor Christopher called for a recorded vote:

YEAS

Mr. Joyce
Mr. Graham
Mr. Rae
Councillor Miller
Councillor Lafferty
Mayor Ellis

YEAS – in total six (6)
NAYS – in total two (2)

NAYS

Councillor Denyes
Councillor Christopher

The resolution was
- CARRIED -

8. INFORMATION MATTERS

8.1 OFFICIAL PLAN AND ZONING BY - LAW AMENDMENT MONITORING REPORT

Report to January 7, 2013.

Moved by Mayor Ellis
Seconded by Mr. Joyce

THAT the Official Plan and Zoning By-Law Amendment Monitoring Report to January 7, 2013 be received.

- CARRIED -

8.2 BUILDING SECTION MONTH END REPORT

Report Period ending December 2012.

Moved by Councillor Christopher
Seconded by Mr. Rae

THAT the Building Section Month End Report ending December 2012 be received.

- CARRIED -

9. GENERAL BUSINESS AND INQUIRIES

There was no General Business or Inquiries.

10. CLOSING REMARKS BY THE CHAIR

The Chair concluded the Planning Advisory Committee Meeting by stating:

“The Planning Advisory Committee’s decisions will be forwarded to Belleville City Council for consideration, forming part of the agenda for the City Council Meeting to be held next week.

Should you wish to speak to City Council on any item, you must contact the City Clerk by the end of business tomorrow to be included as a delegation at that meeting.”

11. ADJOURNMENT

Moved by Mayor Ellis
Seconded by Mr. Graham

THAT the Regular Planning Advisory Committee
Meeting adjourn.

- CARRIED -