

**CITY OF BELLEVILLE
PLANNING ADVISORY COMMITTEE MEETING**

MINUTES

May 7, 2018

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

His Worship Mayor Christopher
Councillor Paul Carr
Councillor Jackie Denyes
Councillor Jack Miller
Councillor Mitch Panciuk

Mr. John Baltutis
Mr. David Joyce
Mr. Mike Letwin
Mr. Ross Rae

ABSENT

Councillor Mike Graham
Councillor Egerton Boyce

STAFF PRESENT

Mr. Rod Bovay, Director of Engineering and Development Services
Mr. Greg Pinchin, Manager of Policy Planning
Mr. Matt MacDonald, Director of Corporate Services, City Clerk

2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest at this meeting.

3. CONFIRMATION OF MINUTES

3.1 Minutes of the City Council Planning Committee Meeting and Planning Advisory Committee Meeting held on March 5, 2018 had been circulated.

Moved by Mr. Joyce
Seconded by Mr. Rae

THAT the Minutes of the City Council Planning Committee Meeting and the Planning Advisory Committee Meeting held on March 5, 2018 be approved and adopted.

-CARRIED-

4. **DEPUTATIONS**

There were no items brought forward under this section of today's agenda.

5. **COMMUNICATIONS**

5.1 Correspondence regarding the "Great St. James Street Application" No. B-77-1047

Moved by Councillor Carr
Seconded by Mr. Joyce

THAT the correspondence received from Lisa King regarding Application No. B-77-1047 be received and referred to Referrals from Public Meeting Item 6.3.

-CARRIED-

6. **REFERRALS FROM PUBLIC MEETING**

6.1 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED – 5144 OLD HIGHWAY 2, TOWNSHIP OF THURLOW, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-1045
APPLICANT/OWNER: ROBERT & MARIE PATRICIA EVANS

The Planning Advisory Committee considered the "Robert and Marie Patricia" Planning Application in light of the Public Meeting.

Moved by Councillor Miller
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 Zoning By-Law Number 3014, as amended, for the property described as 5144 Old Highway 2, 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 “RU – Rural” to a special “RU” zone to permit the keeping of 85 chickens.

-CARRIED-

6.2 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED – 586 ASHLEY STREET, FORMERLY IN THE TOWNSHIP OF THURLOW, NOW CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-1046
OWNER: MARLENE BOULTER
APPLICANTS: MICHAEL HEUVING & TIMOTHY KLOMPMAKER
AGENT: VANMEER LIMITED

The Planning Advisory Committee considered the “Michael Heuving & Timothy Klompmaker” Planning Application in light of the Public Meeting.

Moved by Councillor Panciuk
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 Zoning By-Law Number 3014, as amended, for lands described as 586 Ashley Street, formerly in the Township of Thurlow, now the City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-Law Number 3014, as amended, be amended to rezone the subject lands from “D – Development” to “C1 – Highway Commercial” with special provisions.

-FAILED-

6.3 **PROPOSED AMENDMENTS TO THE OFFICIAL PLAN AND ZONING BY-LAW NUMBER 10245, AS AMENDED – 111 GREAT ST. JAMES STREET, CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-1047
OWNER: SPRINGALE DEVELOPMENT INC.
AGENT: ELBEE CONSTRUCTION LIMITED

The Planning Advisory Committee considered the “Springale Development Inc.” Planning Application in light of the Public Meeting.

Moved by His Worship Mayor Christopher
Seconded by Councillor Panciuk

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 Lots 38 and 39, Part of Lots 36, 37, 40 & 41, West of Charles Street, Parts of Lots 30 and 31, Haslett’s Plan, (RP 21R-536 Part 3 & 4), in the City of Belleville, County of Hastings, be APPROVED as follows:

1. That Schedule “B” – Land Use Plan of the Official Plan be amended by redesignating the subject lands from “Environmental Protection Land Use” to “City Centre Land Use”; and
2. THAT Zoning By-Law Number 10245, as amended, be amended by rezoning the subject lands from “R4 – Residential Fourth Density” and “E – Environmental Control” to “R6-h – Residential Sixth Density – holding”; with special provisions to recognize a minimum lot area of 5,132m² and a minimum lot frontage of 11.6 metres. The H – holding provision is attached to require stormwater management to the satisfaction of the City.

-CARRIED-

7. REPORTS

7.1 **REGISTRATION OF INTENT TO UTILIZE PROGRAMS – 24 DUNDAS STREET WEST, CITY OF BELLEVILLE, COUNTY OF HASTINGS** **APPLICANT: ISHVAR GHUMAN**

The Planning Advisory Committee considered the Director of Engineering & Development Services' Report No. PP-2018-10

Moved by Mr. Joyce
Seconded by Mr. Baltutis

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

That the Belleville Planning Advisory Committee recommends to the Council of the Corporation of the City of Belleville that the Application for consideration under the City's Brownfields Community Improvement Plan by Ishvar Ghuman for 24 Dundas Street West, City of Belleville, County of Hastings, be APPROVED as follows:

THAT Program 3 – "The City of Belleville Environmental Site Assessment Grant Program" be considered for the subject application subject to:

1. Submission of the cost to conduct a Phase II Environmental Site Assessment;
2. The submission of paid invoices to conduct the said Phase II Assessment, prior to the distribution of any funds for the Phase II Environmental Site Assessment, and
3. Approval in principle of the Building Permit Grant, Development Charge Grant and Tax Assistance Grant programs subject to the strict eligibility requirements of each of these programs being adhered to; and, the final decision by the City in its discretion as to whether to utilize all remaining programs once the results of the Environmental Site Assessment demonstrate the degree and seriousness of contamination remediation needs.

-CARRIED-

8. **INFORMATION MATTERS**

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

Report to May 7, 2018

Moved by Mr. Baltutis
Seconded by Councillor Panciuk

THAT the Official Plan and Zoning By-law
Amendment Monitoring Report to May 7,
2018 be received.

-CARRIED-

9. **GENERAL BUSINESS AND INQUIRIES**

Mayor Christopher requested an update on the Official Plan Review process, Rod Bovay, Director of Engineering & Development Services advised that the background work is complete and that work with their consultant related to Employment Lands continues. Public consultation is the next step and is scheduled for completion prior to years end.

Mayor Christopher also sought an update on the Connection Charge Study, Rod Bovay advised that the consultant's work continues and seeking a consistent and reasonable costing as the first draft presented was too high, and the second draft was too low.

Mayor Christopher then sought information on the extension of servicing on Sidney Street, Rod Bovay advised that the developer Adrian Bax and consultants are working with Belleville Water on an agreement related to pie sizing to extend the servicing north of Kempton into the subdivision allowing Phase 4 to proceed.

Councillor Denyes introduced the idea of introducing a Community Standards By-Law to regulate medical marijuana facilities for the City of Belleville.

"Due to the complex nature of this issue, municipalities are being encouraged to seek legal advice in creating bylaws and/or **community standard bylaws** intended to regulate the siting and operations of Medical Marijuana Production facilities: i.e. strict security, business licensing fees payable to municipalities that would allow the city to recover any costs

associated to the city, setbacks from residential zones and to define verbiage as Edmonton and Kelowna have done (AUMA Report)

It's timely in May issue of Municipal World some guidance is given how the legalization of recreational cannabis use will impact Canadian municipalities. Municipalities need to be cognizant of what may or may not be regulated under Land Use Planning laws in their own given jurisdictions.

Bylaws need to mitigate possible adverse land use impacts through defining terms such as Cannabis Production Facility, and define such things as open storage, loading, separation distances from sensitive uses – i.e. schools, places of worship and open spaces.

While the authority to license and directly regulate the production of Medical Marijuana belongs to the Federal government, with no formal role given to municipalities, and is administered thru Health Canada, a taskforce (AUMA) was formed to help identify municipal concerns and develop recommendations to address concerns – zoning, business licensing, community standards.

City of Edmonton and Kelowna have established community standard bylaws to define such things as amphetamines, building, Controlled Substances, dangerous goods, grow operations, hazardous conditions, Inspector, noise, odours, unsightly property...to name a few – enforced through warnings, ticketing, compliance orders and court applications.

Vancouver – regulated location of dispensaries to avoid clustering and accumulation

City of Toronto – passed bylaw in 2014 to permit Med. Marijuana facilities that include setbacks from residential zones – 70 metres
(Thomson Reuters Law Times)

Ottawa – passed bylaw 2014 to permit Med Marijuana production facilities that included setbacks from residential zones - 140 metres – appeal to the OMB, application was eventually withdrawn by the applicant. *(Thomson Reuters Law Times)*

Town of Lakeshore – zoned for employment or industrial.

Federal guidelines call for strict security. (Penatanguishene 30,000 sq. ft – rezoned to industrial land to permit Medical Marijuana production facility – spent 1.3 million in security equipment including 250 cameras and 24-7 onsite/offsite security; they provide 16,000 bottles of cannabis oil/year – 60 jobs.”

Moved by Councillor Denyes
Seconded by Councillor Miller

THAT the Planning Advisory Committee recommends City Council to direct staff to prepare a Community Standards By-law.

-CARRIED-

10. **ADJOURNMENT**

Moved by Councillor Carr
Seconded by Mr. Baltutis

THAT the Regular Planning Advisory Committee Meeting adjourn.

-CARRIED-