

BELLEVILLE PLANNING ADVISORY COMMITTEE

A G E N D A

MARCH 7, 2011

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 – 916 BLESSINGTON
ROAD, CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NO.: B-77-897
APPLICANT: KATHRIN LYON
OWNER: NELSON & KATHRIN LYON**

Notice of Meeting and Map

1

- 3.2 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER
3014, AS AMENDED – 580 ASHLEY STREET, FORMERLY
IN THE TOWNSHIP OF THURLOW, NOW IN THE CITY OF
BELLEVILLE, COUNTY OF HASTINGS
FILE NO.: B-77-898
APPLICANT/OWNER: ELIZABETH ANNE MCMASTER**

Notice of Meeting and Map

5

4. **ADJOURNMENT**

PLANNING ADVISORY COMMITTEE MEETING

1. ATTENDANCE

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

Michael Graham
David Joyce
Mike Letwin
Ross Rae

2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

3. CONFIRMATION OF MINUTES

3.1 Minutes of the City Council Planning Committee Meeting held on February 7, 2011 and the Planning Advisory Committee Meeting held on February 7, 2011

4. DEPUTATIONS

5. COMMUNICATIONS

6. REFERRALS FROM PUBLIC MEETING

- 6.1 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED – 916 BLESSINGTON ROAD, CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NO.: B-77-897
APPLICANT: KATHRIN LYON
OWNER: NELSON & KATHRIN LYON

Manager of Policy Planning's Report No. AM-2011-07

8

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 3014, as amended, for 916 Blessington Road, City of Belleville, County of Hastings, be APPROVED as follows:

1. THAT Zoning By-law Number 3014, as amended, be amended by rezoning the subject land from 'PA – Prime Agriculture' to a special PA zone so as to permit the locating of a detached garage closer to the street than the main residential dwelling;
2. THAT Zoning By-law Number 3014, as amended, be amended to permit a Temporary Use By-law for a period of twelve (12) months to allow the existing dwelling unit on the subject parcel to be temporarily occupied while a second dwelling unit is under construction, and;
3. THAT the applicant enter into an agreement with the City of Belleville, including the posting of securities, to ensure compliance with the Temporary Use By-law upon completion of the second dwelling."

- 6.2 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED – 580 ASHLEY STREET, FORMERLY IN THE TOWNSHIP OF THURLOW, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NO.: B-77-898
APPLICANT/OWNER: ELIZABETH ANNE MCMASTER

Special Projects Planner's Report No. GP-2011-01

16

6. REFERRALS FROM PUBLIC MEETING (Cont'd)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 3014, as amended, for 580 Ashley Street, 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 parcel from 'C3-5 – General Commercial' to a special C3 zone for the purpose of adding an eating establishment as a permitted use. An 'h – holding' symbol is requested to be attached to the site requiring site plan approval and that the use can be serviced by a private sewage disposal system to the satisfaction of the Chief Building Official before development is allowed to proceed."

7. REPORTS**7.1 REVIEW OF THE CITY OF BELLEVILLE OFFICIAL PLAN**

Manager of Policy Planning's Report No. AM-2011-08

23RESOLUTION

"THAT the Manager of Policy Planning's Report No. AM-2011-08, be received."

7.2 MONITORING AND UPDATE – CITY OF BELLEVILLE BROWNFIELDS COMMUNITY IMPROVEMENT PLAN

Manager of Policy Planning's Report No. AM-2011-09

25RESOLUTION

"THAT the Belleville Planning Advisory Committee recommends to City Council that a review of the City of Belleville Brownfields Community Improvement Plan be undertaken as per Section 7 of the Plan and that the matter be referred to the City's Operating Budget process for consideration."

8. INFORMATION MATTERS

8.1 BUILDING SECTION MONTH END REPORT

Reporting Period: February 2011

27

9. GENERAL BUSINESS AND INQUIRIES

10. ADJOURNMENT



File No.: B-77-897

**PUBLIC MEETING
CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
MONDAY, MARCH 7, 2011
AT 5:30 P.M.**

A Public Meeting will be held to consider an amendment to Zoning By-Law Number 3014, as amended. The parcel is zoned "PA – Prime Agriculture" and the applicant requests a Temporary Use By-Law to permit the continued occupancy of their existing dwelling while a second dwelling is under construction on the subject land. Once the second dwelling is completed for occupancy the existing dwelling will be demolished. The Official Plan permits City Council to pass Temporary Use By-Laws for a period of time of up to three (3) years, subject to satisfying various policies.

In addition, the applicant wishes to retain the existing attached garage when demolishing the dwelling. Therefore, they also are requesting a special PA zone to recognize the approximately 35 metre setback of this garage from Blessington Road versus the proposed new dwelling's setback from the road of approximately 76 metres.

The subject lands are described municipally as 916 Blessington Road, City of Belleville, County of Hastings.

OFFICIAL PLAN:

The parcel is designated "Agricultural Land Use" in the Official Plan. Temporary Use By-Laws and special front yard depths for accessory buildings are permitted subject to complying with the policies of the Official Plan.

ZONING BY-LAW:

The land is zoned "PA – Prime Agriculture" in Zoning By-Law Number 3014, as amended. The applicant requests a Temporary Use By-Law to permit the continued occupancy of their existing dwelling while a second dwelling is under construction. Once the second dwelling is completed for occupancy the existing dwelling will be demolished. The applicant also requests that the By-Law recognizes that the existing garage will be located closer to Blessington Road than the proposed new dwelling.

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 Julie Oram, Secretary, Planning Advisory Committee, City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3271, Fax: 613-967-3206, Email: joram@city.belleville.on.ca).

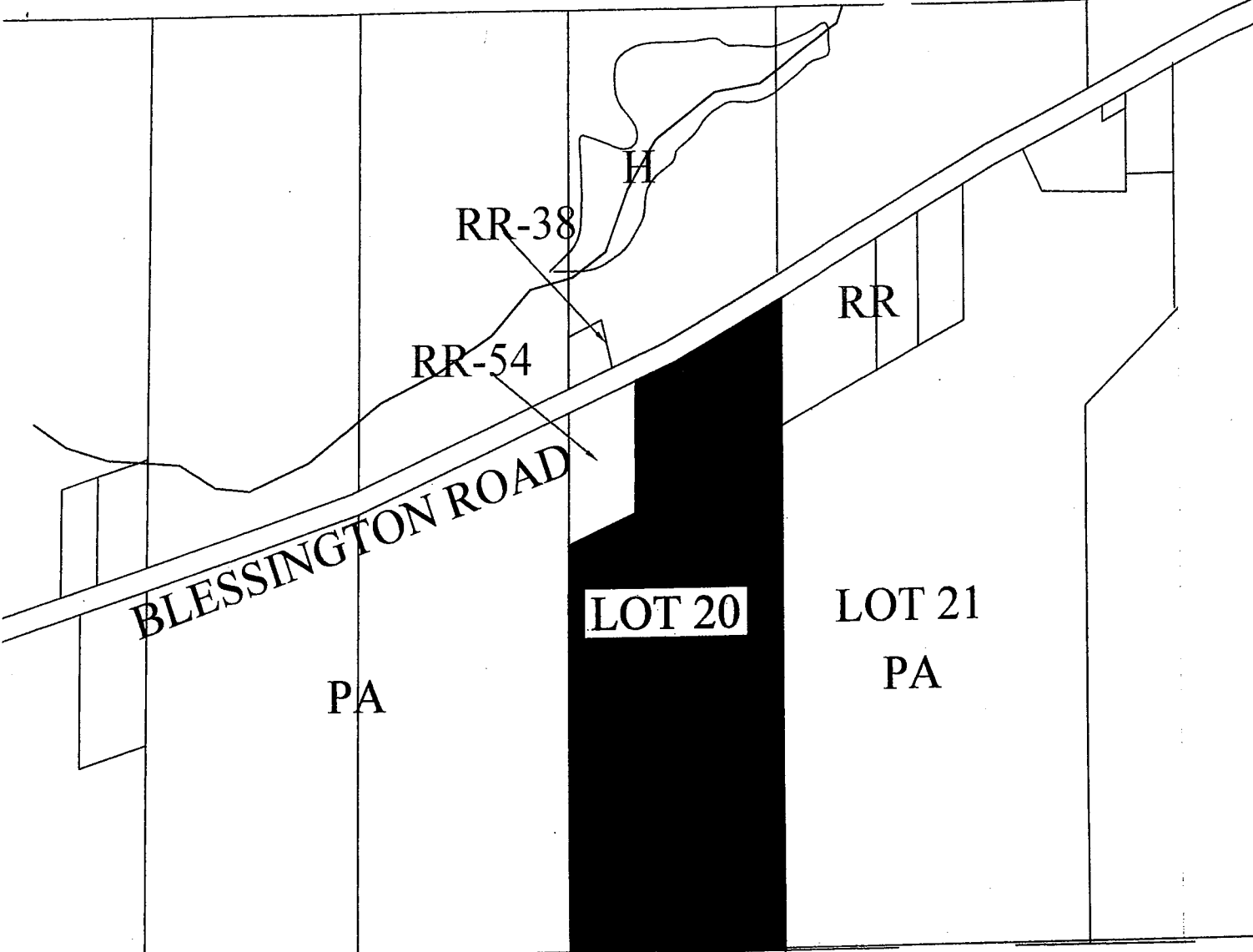
If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Belleville before the by-law is passed, the person or public body is not entitled to appeal the decision of the City of Belleville to the Ontario Municipal Board and may not be added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

Julie Oram, Secretary
Planning Advisory Committee


DATED at the City of Belleville this 15th day of February, 2011



PROPOSED ZONING BY-LAW AMENDMENT

LOCATION - LOT 20, CONCESSION 4
THURLOW WARD



 PROPOSED ZONING CHANGE FROM PA (PRIME AGRICULTURAL) TO PA WITH SPECIAL PROVISIONS AND A REQUEST FOR A TEMPORARY USE BY-LAW AS DETAILED IN THE ATTACHED NOTICE.

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| CITY OF BELLEVILLE | | DWG. No. |
| scale 1:2400 Page 3 | | |
| dwn. by J.M.P. | | |



RECEIVED
PLANNING SECTION
B-77-897
FEB 01 2011

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|------|--------|------|
| | ACTION | INFO |
| A.M. | | |
| N.T. | | |
| G.P. | | |
| E.M. | | |

REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT.

PLAN 21R-206
RECEIVED AND DEPOSITED

MAY 8 2003
DATE

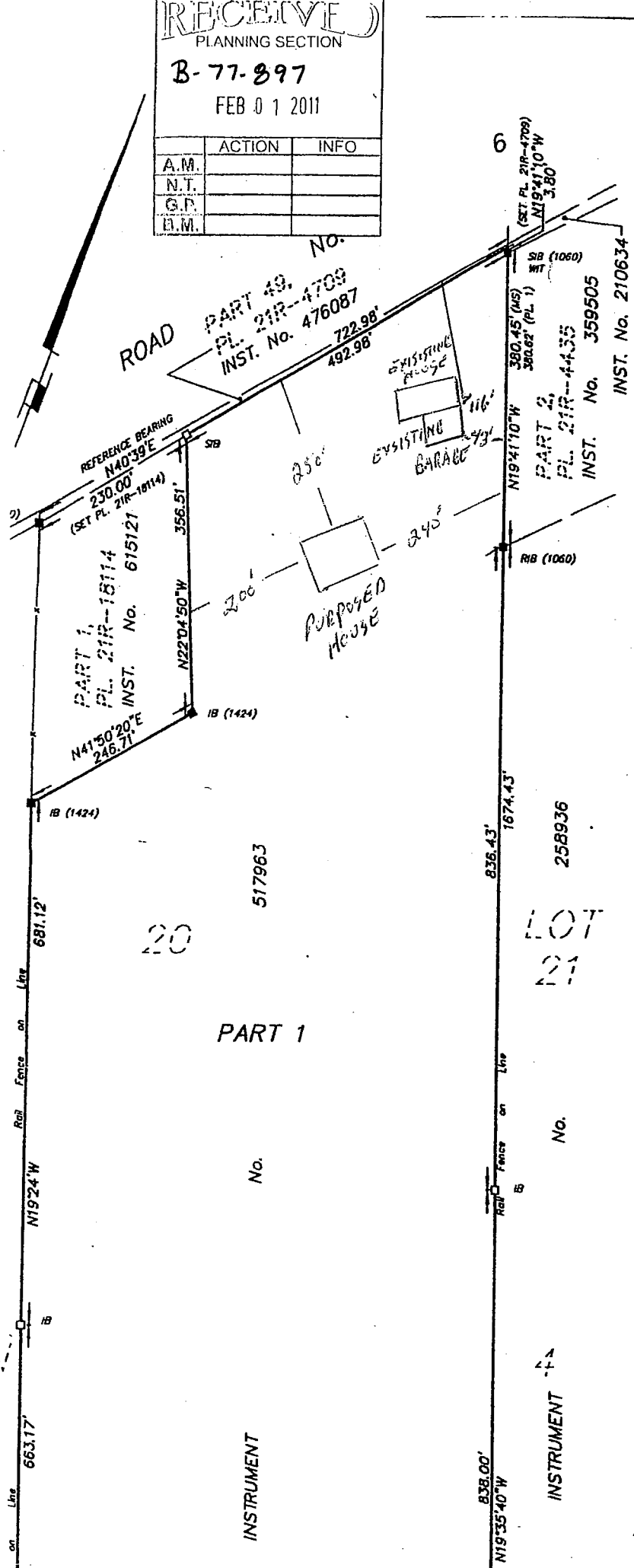
May 8, 2003
DATE

W. R. Wollerman
W. R. WOLLERMAN

Jane Pica
LAND REGISTRAR FOR THE REGISTRY DIVISION OF HASTINGS (N° 21)

SCHEDULE

| PART | DESCRIPTION | INST. N° | AREA |
|------|------------------------------|----------|-------|
| 1 | PART OF LOT 20, CONCESSION 4 | 517963 | 25.51 |



PLAN SHOWING SURVEY of
PART of LOT 20, CONCESSION 4
GEOGRAPHIC TOWNSHIP of THURLOW
CITY of BELLEVILLE
COUNTY of HASTINGS

SCALE: 1 inch = 150 feet
0 40 80 160 240 feet
W. R. WOLLERMAN, O.L.S.

NOTE

BEARINGS ARE ASTRONOMIC, DERIVED FROM THE SOUTH LIMIT OF PART 49 ON PLAN 21R-4709, HAVING A BEARING OF N40°39'E.

IMPERIAL:

DISTANCES SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048.

LEGEND (IF APPLICABLE)

| | | |
|------|---------|------------------------------|
| □ | DENOTES | SURVEY MONUMENT PLANTED |
| ■ | " | SURVEY MONUMENT FOUND |
| IB | " | IRON BAR |
| SIB | " | STANDARD IRON BAR |
| SSIB | " | SHORT STANDARD IRON BAR |
| RIB | " | ROUND IRON BAR 5/8" DIAMETER |
| PL | " | PLAN |
| MS | " | MEASURED |
| WT | " | WITNESS |
| PL 1 | " | PLAN 21R-4435 |



**PUBLIC MEETING
CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
MONDAY, MARCH 7, 2011
AT 5:30 P.M.**

A Public Meeting will be held to consider an amendment to Zoning By-Law Number 3014, as amended. The property is zoned "C3-5 – General Commercial" and the applicant requests a rezoning to a special "C3 – General Commercial" zone in order to open a coffee shop within the existing 900 square foot building on the property.

The property is described as 580 Ashley Street, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings.

OFFICIAL PLAN:

The land is designated "Hamlet" in the City's Official Plan as part of the hamlet of Foxboro. A wide range of commercial uses are permitted in this designation subject to satisfying various policies in the Plan.

ZONING BY-LAW:

The subject land is zoned "C3-5 – General Commercial" in Zoning By-Law 3014, as amended. The applicant is requesting a change in zoning to allow an eating establishment as a permitted use, in addition to the uses currently permitted under the C3-5 zone.

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 Julie Oram, Secretary, Planning Advisory Committee, City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3271, Fax: 613-967-3206, Email: joram@city.belleville.on.ca).

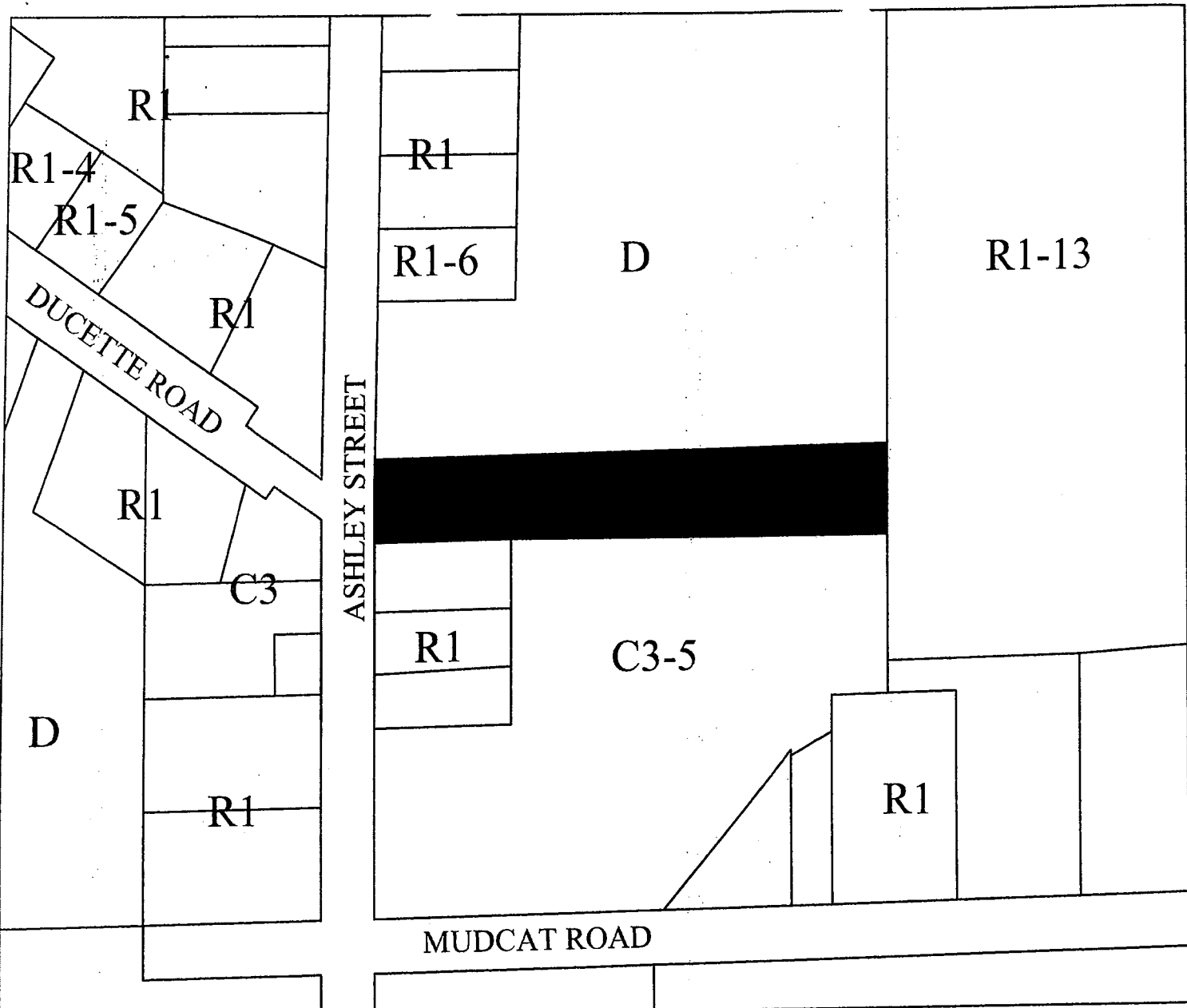
If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Belleville before the by-law is passed, the person or public body is not entitled to appeal the decision of the City of Belleville to the Ontario Municipal Board and may not be added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

Julie Oram, Secretary
Planning Advisory Committee


DATED at the City of Belleville this 15th day of February, 2011

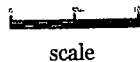


PROPOSED ZONING BY-LAW AMENDMENT

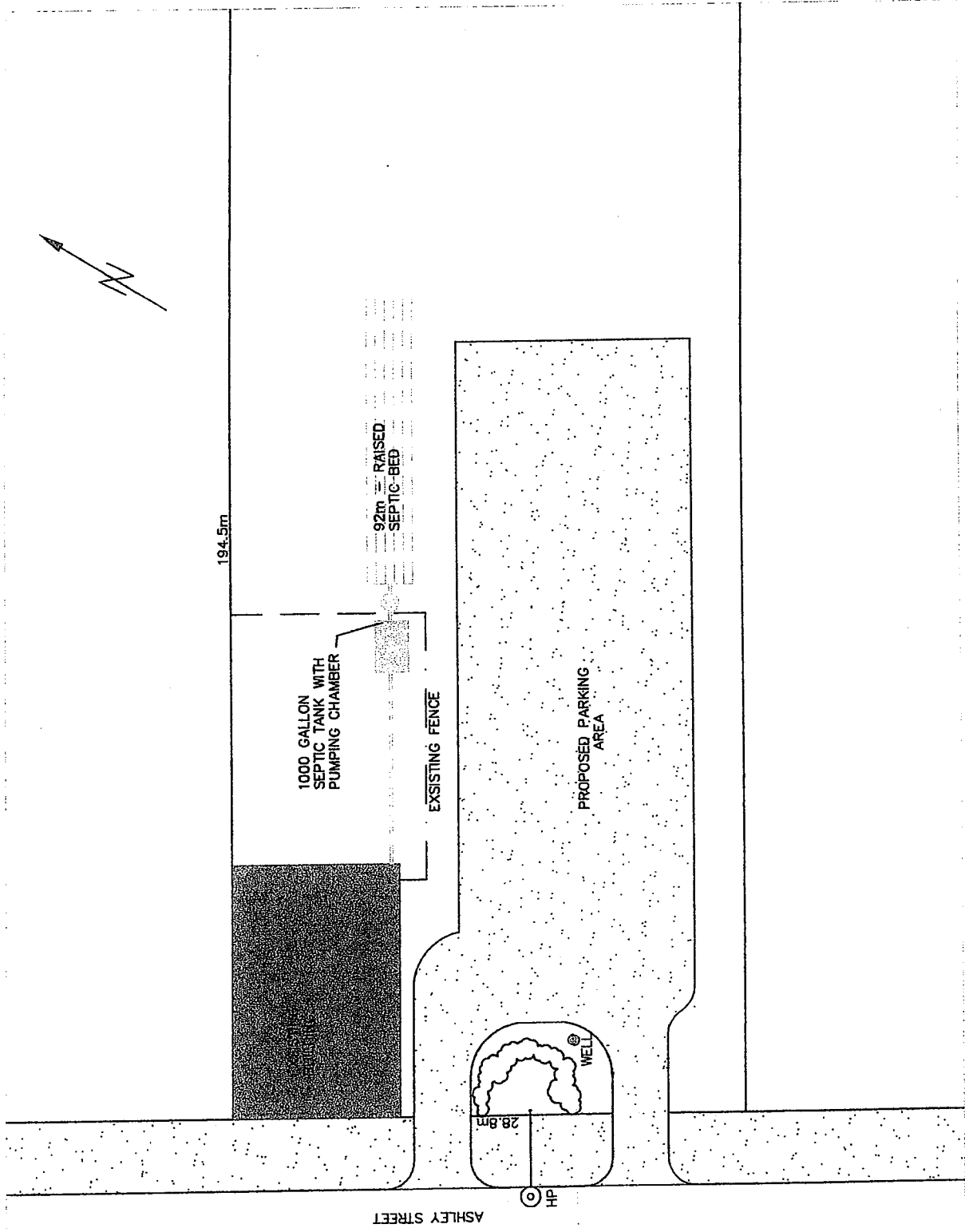
LOCATION - 580 ASHLEY STREET,
REGISTERED PLAN 223 FOXBORO

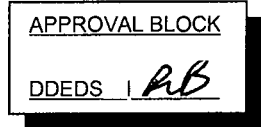


 PROPOSED ZONING CHANGE FROM C3-5 (GENERAL COMMERCIAL-5) TO C3-SPECIAL AS DETAILED IN THE ATTACHED NOTICE.



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| CITY OF BELLEVILLE | | DWG. No. |
| scale 1:2400 | | |
| dwn. by J.M.P. | Page 6 | |





CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT
PLANNING SECTION
Arthur MacKay, Manager of Policy Planning
Report No. AM-2011-07
March 7, 2011

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

Subject: Proposed Amendment to Zoning By-Law Number 3014, As Amended –
916 Blessington Road, City of Belleville, County of Hastings
File Number: B-77-897
Applicant: KATHRIN LYON
Owner: NELSON & KATHRIN LYON

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 3014, as amended, for 916 Blessington Road, City of Belleville, County of Hastings, be APPROVED as follows:

1. THAT Zoning By-Law Number 3014, as amended, be amended by rezoning the subject land from 'PA – Prime Agriculture' to a special PA zone so as to permit the locating of a detached garage closer to the street than the main residential dwelling;
2. THAT Zoning By-Law Number 3014, as amended, be amended to permit a Temporary Use By-Law for a period of twelve (12) months to allow the existing dwelling unit on the subject parcel to be temporarily occupied while a second dwelling unit is under construction, and;
3. THAT the applicant enter into an agreement with the City of Belleville, including the posting of securities, to ensure compliance with the Temporary Use By-Law upon completion of the second dwelling."

SUMMARY:

The applicant requests a Temporary Use By-Law for a period of twelve (12) months to permit the continued occupancy of their existing dwelling while a second dwelling is under construction on the subject land. Once the second dwelling is completed for occupancy the existing dwelling will be demolished. As per the provisions of the underlying zone only one (1) dwelling unit per property is permitted, thus necessitating the request for a temporary use.

In addition, the applicant has requested to retain the existing attached garage when demolishing the dwelling. Therefore, they also are requesting a special PA zone to recognize the approximately 35 metre setback of this garage from Blessington Road versus the proposed new dwelling's setback from the road of approximately 76 metres. As per the provisions of the By-Law, all accessory buildings or structures must be at least setback from the road the same distance as the main dwelling.

The Official Plan has policies that permit the temporary authorization of land, buildings or structures for a use prohibited by the Zoning By-Law for renewable periods of up to three (3) years subject to satisfying various requirements. The Plan also permits special front yard depths for accessory buildings. In the subject instance the location of the garage would comply with the By-Law's minimum 15.24 metre front yard depth yard required for all buildings and structures.

If this application is approved, it is recommended that the applicant enter into an agreement with the City whereby the landowner acknowledges that the dwelling will be properly demolished and removed when the new dwelling is completed, including the posting of securities to ensure compliance.

Based on the foregoing, Planning Staff recommend approval of the subject application.

BACKGROUND:**Purpose and Effect**

The proposed By-Law applies to approximately 10.3 hectares of land located at 916 Blessington Road.

The purpose of the application is to permit the applicant to continue to occupy their existing dwelling while a second dwelling is under construction on the subject land. Once the second dwelling is completed for occupancy the existing dwelling is to be demolished and removed. The applicant also requests permission to retain the attached garage and thus requires recognition of its distance from Blessington Road in relation to the main dwelling proposed to be constructed.

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

Subject Property

- Site Characteristics

The property contains a residential dwelling and barn.

- Adjacent Land Uses

Residential and agricultural uses are located in proximity to the subject land.

Official Plan

Temporary Use By-Laws permit the temporary authorization of land, buildings or structures for a use prohibited by the Zoning By-Law for renewable periods of up to three (3) years subject to satisfying various policies.

The principles that apply to a Temporary Use By-Law include:

- i) The use to be established should be of a temporary nature where the investment to establish the use is not to such an extent that the owner would be put to undue hardship upon termination of the temporary use.
- ii) It is not considered appropriate to zone for such use on a permanent basis, taking into account issues such as access, traffic impacts, and potential long-term land use conflicts.

Zoning By-Law

The affected area is zoned "PA – Prime Agriculture" in Zoning By-Law Number 3014, as amended. The applicant requests a Temporary Use By-Law to permit the continued occupancy of their existing dwelling while a second dwelling is under construction on the subject land.

As noted, the applicant wishes to retain the existing attached garage. Thus the applicant also requests a special PA zone that would recognize that the existing garage will be located closer to Blessington Road than the proposed new dwelling.

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 February 15, 2011.

The Algonquin and Lakeshore Catholic District School Board and Quinte Conservation advise that they have no comment.

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

- Internal Department Circulation

The subject application was circulated for comment to the Belleville Fire Department, Belleville Police Service, the Engineering & Development Services Department, the Recreation, Culture and Community Services Department and the Manager of Approvals on February 15, 2011.

The Recreation, Culture and Community Services 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 February 15, 2011. Notice was also provided by advertisement in The Intelligencer.

To date, no comments or inquiries have been received regarding this application.


Planning Analysis

As described, the applicants request a Temporary Use By-Law for a period of twelve (12) months to permit the continued occupancy of their existing dwelling while a second dwelling is under construction on the subject land. Once the second dwelling is completed for occupancy the existing dwelling will be demolished and removed. In addition, the applicant has requested to retain the existing attached garage when demolishing the dwelling and thus is also requesting a special PA zone to recognize the approximately 35 metre setback of this garage from Blessington Road versus the proposed new dwelling's setback from the road of approximately 76 metres. As per the provisions of the By-Law, all accessory buildings or structures must be at least setback from the road the same distance as the main dwelling.

In the subject instance the location of the garage would comply with the By-Law's minimum 15.24 metre front yard depth yard required for all buildings and structures and therefore the requested relief is supportable on that basis.

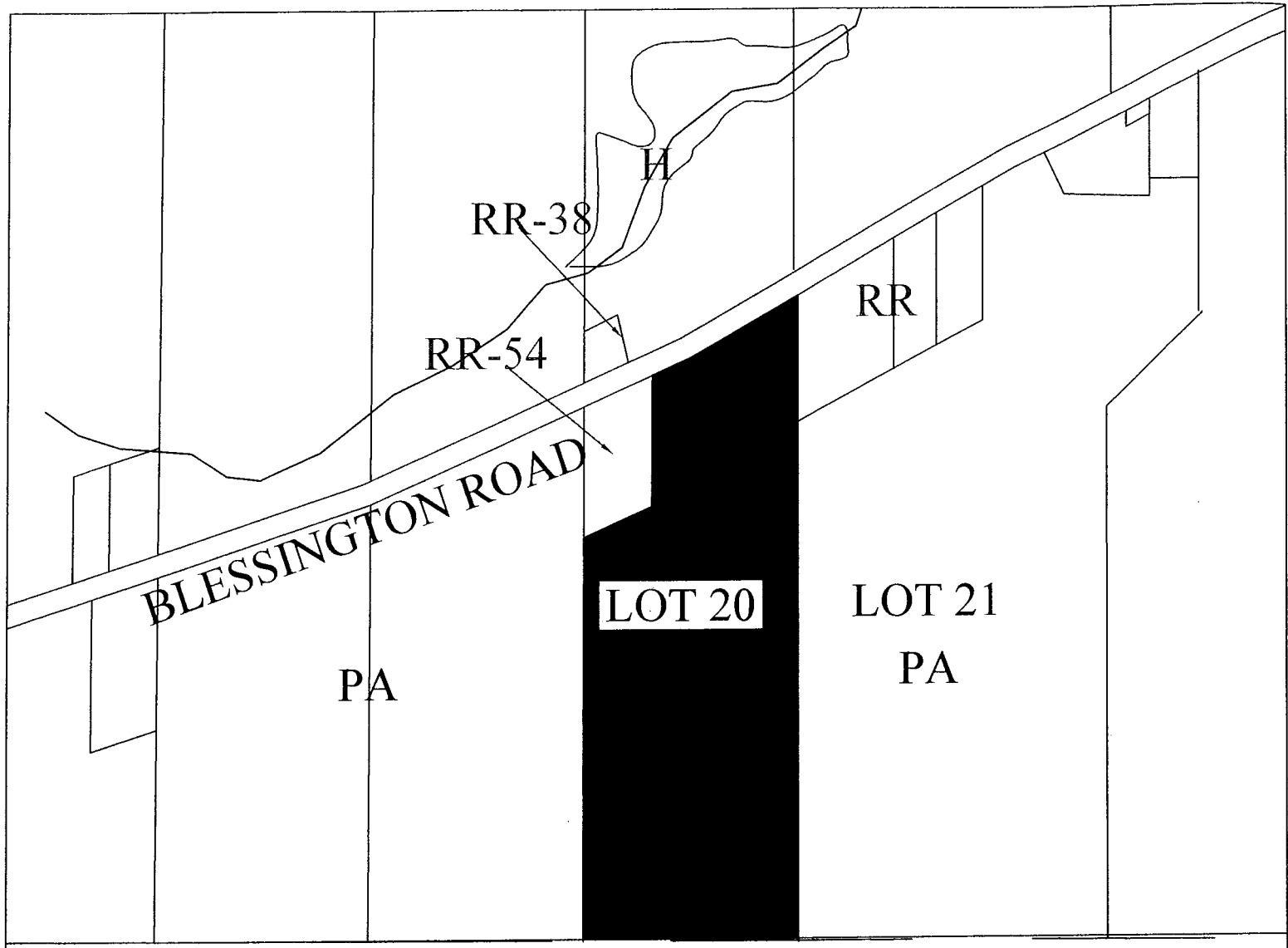
If the request for the temporary use is approved, it is recommended that the applicant also enter into an agreement with the City whereby the landowner acknowledges that the dwelling will be properly demolished and removed when the new dwelling is completed, including the posting of sufficient securities to ensure compliance.

Based on the foregoing, Planning Staff recommend approval of the subject application.



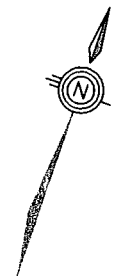
 Arthur MacKay
 Manager of Policy Planning


atta



PROPOSED ZONING BY-LAW AMENDMENT

LOCATION - LOT 20, CONCESSION 4 THURLOW WARD



 PROPOSED ZONING CHANGE FROM PA (PRIME AGRICULTURAL) TO PA WITH SPECIAL PROVISIONS AND A REQUEST FOR A TEMPORARY USE BY-LAW AS DETAILED IN THE ATTACHED NOTICE.

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| CITY OF BELLEVILLE | | DWG. No. |
| scale 1:2400 | Page 12 | |
| dwn. by J.M.P. | | |



RECEIVED
 PLANNING SECTION
 B-77-897
 FEB 01 2011

| | ACTION | INFO |
|------|--------|------|
| A.M. | | |
| N.T. | | |
| G.P. | | |
| D.M. | | |

REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT.

PLAN 21R-201
 RECEIVED AND DEPOSITED

MAY 8/03
 DATE

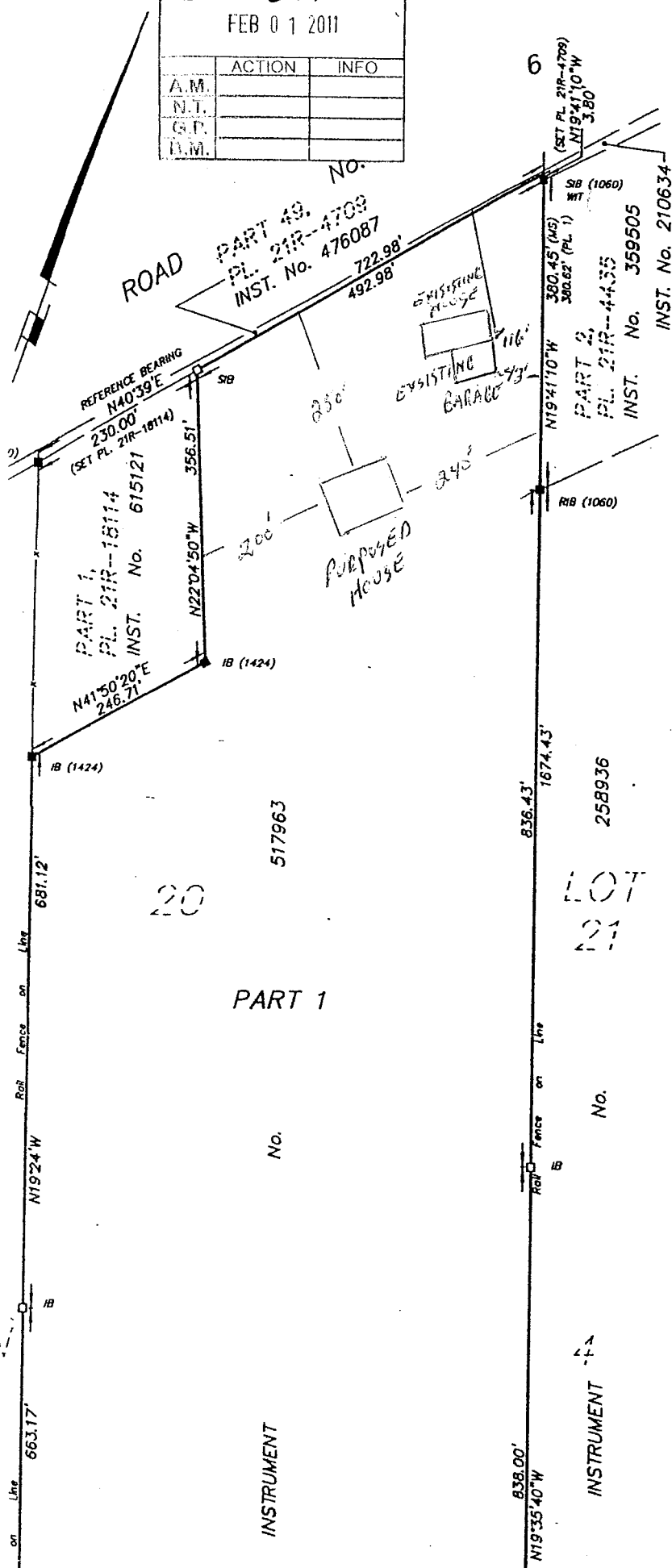
MAY 8, 2003
 DATE

W. R. Wollerman
 W. R. WOLLERMAN

J. ...
 LAND REGISTRAR FOR THE REGISTRY DIVISION OF HASTINGS (N° 21)

SCHEDULE

| PART | DESCRIPTION | INST. N° | AREA |
|------|------------------------------|----------|-------|
| 1 | PART OF LOT 20, CONCESSION 4 | 517963 | 25.51 |



PLAN SHOWING SURVEY of
 PART of LOT 20, CONCESSION 4
 GEOGRAPHIC TOWNSHIP of THURLOW
 CITY of BELLEVILLE
 COUNTY of HASTINGS

SCALE: 1 inch = 150 feet
 0 40 80 160 240 feet

W. R. WOLLERMAN, O.L.S.

NOTE

BEARINGS ARE ASTRONOMIC, DERIVED FROM THE SOUTH LIMIT OF PART 49 ON PLAN 21R-4709, HAVING A BEARING OF N40°39'E.

IMPERIAL:

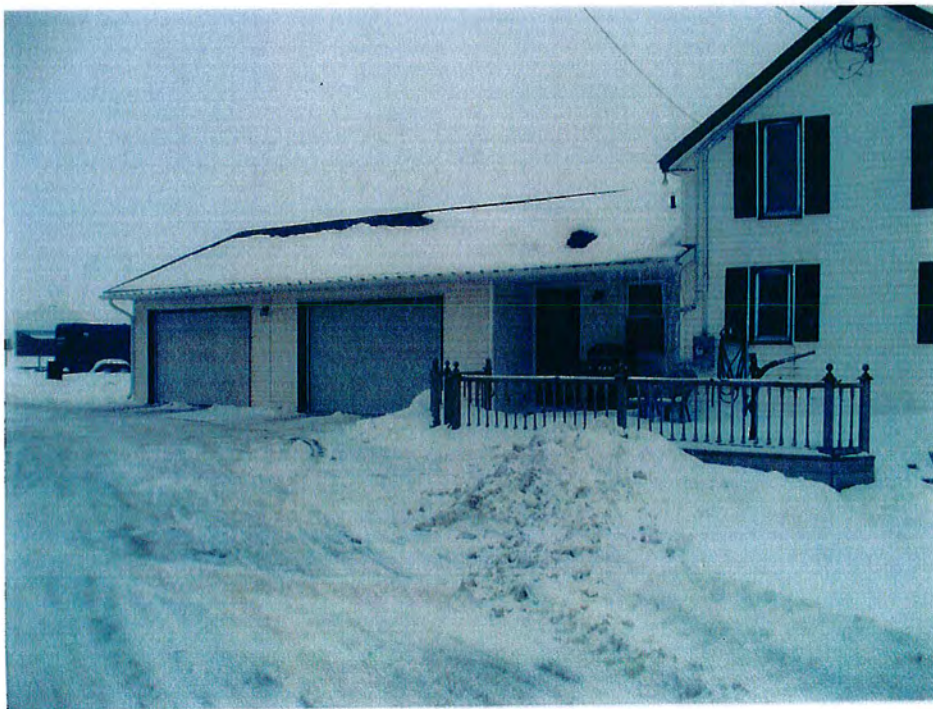
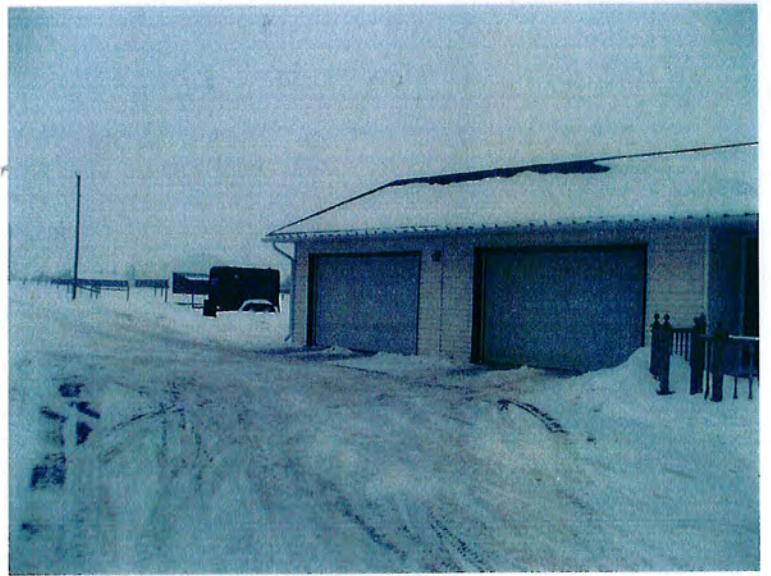
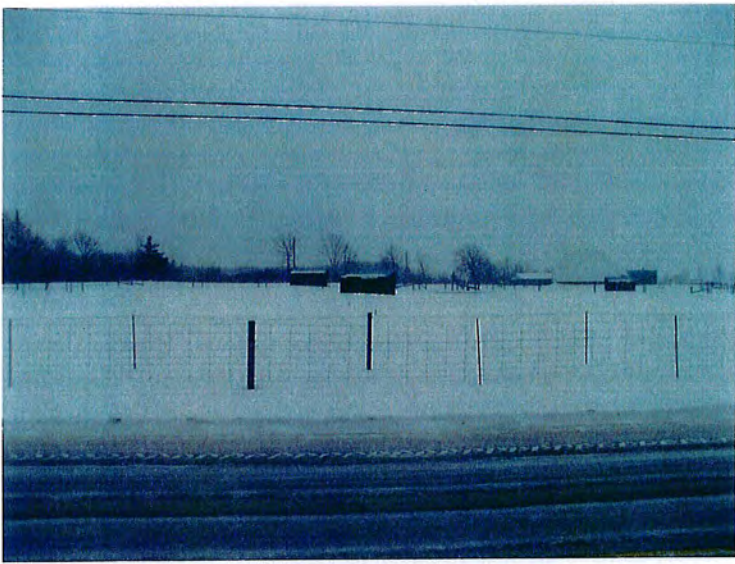
DISTANCES SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048.

LEGEND (IF APPLICABLE)

| | | |
|------|---------|------------------------------|
| □ | DENOTES | SURVEY MONUMENT PLANTED |
| ■ | " | SURVEY MONUMENT FOUND |
| IB | " | IRON BAR |
| SIB | " | STANDARD IRON BAR |
| SSIB | " | SHORT STANDARD IRON BAR |
| RIB | " | ROUND IRON BAR 5/8" DIAMETER |
| PL | " | PLAN |
| MS | " | MEASURED |
| WT | " | WITNESS |
| PL 1 | " | PLAN 21R-4435 |



R. 77.007





| | |
|----------------|-----------|
| APPROVAL BLOCK | |
| DEEDS | <i>RB</i> |
| MPP | <i>AM</i> |

CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT
PLANNING SECTION
Greg Pinchin, Special Projects Planner
Report No. GP-2011-01
March 7, 2011

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

Subject: Proposed Amendment to Zoning By-Law Number 3014, as Amended –
580 Ashley Street, Formerly in the Township of Thurlow, Now in the City
of Belleville, County of Hastings
File Number: B-77-898
Applicant/Owner: ELIZABETH ANNE MCMASTER

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 3014, as amended, for 580 Ashley Street, 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 parcel from 'C3-5 – General Commercial' to a special C3 zone for the purpose of adding an eating establishment as a permitted use. An 'h – holding' symbol is requested to be attached to the site requiring site plan approval and that the use can be serviced by a private sewage disposal system to the satisfaction of the Chief Building Official before development is allowed to proceed."

SUMMARY:

The applicant requests a rezoning of approximately 0.5 hectares of land with approximately 26 metres of frontage. The subject land is zoned "C3-5 – General Commercial" and the applicant requests a rezoning to a special "C3 – General Commercial" zone in order to open a coffee shop within the existing 77 square metre building on the property.

The land is designated "Hamlet" in the City's Official Plan. A wide range of commercial uses are permitted in this designation subject to satisfying various policies in the Plan.

If this application is approved, it is recommended that an 'h – holding' symbol be attached to the site requiring site plan approval and the satisfactory demonstration that the restaurant use can be serviced by a private sewage disposal system before development is allowed to proceed.

BACKGROUND:**Purpose and Effect**

The purpose of the application is to rezone approximately 0.5 hectares of land from "C3-5 – General Commercial" to a special "C3 – General Commercial" zone.

The effect of the application would permit the use of the property for an eating establishment.

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

Subject Property

- Site Characteristics

The subject land constitutes approximately 0.5 hectares in the hamlet of Foxboro. The property is improved with an approximately 77 square metre building in the northwest corner that was constructed approximately 125 years ago. The applicant advises that the building has been zoned commercially for over thirty (30) years, and that for the past ten (10) years, it has been used to run a day program for a group home to teach cooking and life skills to a group of fifteen (15) to twenty (20) students.

- Adjacent Land Uses

Single detached residential uses are located to the north, south, and across Ashley Street to the west of the property. Wooded areas are located to the east. The rear portion of the lot abuts on the former Foxboro Co-op property to the south.

Official Plan

The land is designated "Hamlet" in the City's Official Plan. The policies of this designation permit a wide range of commercial uses subject to satisfying various policies in the Plan.

The application complies with the Plan.

Zoning By-Law

The subject land is zoned "C3-5 – General Commercial" in Zoning By-Law Number 3014, as amended. The applicant is requesting a change in zoning to allow an eating establishment as a permitted use, in addition to the uses currently permitted under the C3-5 zone.

An eating establishment generates a parking requirement of one (1) space per nine (9) square metres of gross floor area under the Zoning By-Law. At approximately 77 square metres, the existing building generates a requirement for nine (9) on-site parking spaces. The 0.5 hectare area of the site is sufficient to accommodate these spaces.

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 February 15, 2011.

The Algonquin & Lakeshore Catholic School Board advises that they do not have a concern with the proposal.

Quinte Conservation advises that they have no concerns or comments on the application.

No other comments or concerns have been received regarding this application.

- Internal Department Circulation

The subject application was circulated for comment to the Belleville Fire Department, Belleville Police Service, the Engineering & Development Services Department, the Recreation, Culture and Community Services Department and the Manager of Approvals on February 15, 2011.

The Recreation, Culture and Community Services Department advise that they have no comment at this time.

The Building Section advises that the applicant will need to confirm the suitability of the septic system for the proposed use.

The Approvals Section advises as follows:

"We have no objection to the proposed Zoning By-Law Amendment. The Applicant should be advised that the property will need to be developed in accordance with the Site Plan process which will include the following requirements:

1. The Owner will be required to deed gratuitously to the City of Belleville half of the road widening required to provide a 26m wide road allowance for Ashley Street along portion of the frontage where Ashley Street is designated as a collector road, less the 4.0 metres previously deeded to the City. In addition the Owner will be required to deed gratuitously to the City of Belleville half of the road widening required to provide a 20m wide road allowance for Ashley Street along portion of the frontage where Ashley Street is designated as a local road, if this road widening has not already been deeded to the City.
2. No structures, such as signs, or any new landscaping, except sod, will be allowed on the road widening deeded to the City.
3. A Stormwater Management Report will be required showing how the storm water from the site will be dealt with in regards to quality, to the satisfaction of the City."

- **Public Circulation**

Notice of the subject application was circulated to all registered owners of land within 120 metres (400 feet) of the affected area on February 15, 2011. Notice was also provided by advertisement in The Intelligencer.

Staff has received inquiries from two (2) ratepayers requesting information about the application.

No other comments have been received.

Planning Analysis

The property is currently zoned for a range of commercial uses. The Hamlet policies in the City's Official Plan lend themselves to a wide range of small-scale commercial

development. The proposal to convert the existing commercial building to a coffee shop, with approximately 77 square metres of gross floor area, would represent small-scale commercial development.

The Official Plan also directs commercial uses on private services to be located on parcels that are sufficiently large to accommodate such services. Zoning By-Law Number 3014 sets out a minimum lot size of 0.15 hectare for commercial uses on private services within the C3 zone. The subject property significantly exceeds this minimum at a size of 0.5 hectare. The property has a septic system that was installed approximately seven (7) years ago and the applicant has hired Lissom Earth Sciences to evaluate the system in the context of a proposed fourteen (14) seat restaurant. Their report indicates that a larger septic tank will be needed, but that the remainder of the system is sufficient to accommodate the proposed use. The applicant will be required to upgrade the tank prior to opening the coffee shop. Therefore, a holding symbol is recommended to be attached to the site to ensure that the upgraded septic system has been installed to the satisfaction of the Chief Building Official prior to development proceeding.

The property has an existing U-shaped driveway with access to Ashley Street. The proposed use will require the creation of an on-site parking area that conforms to the provisions of the Zoning By-Law. The sketch accompanying the application generally shows the proposed parking area's approximate location and Staff are satisfied that the site can accommodate the nine (9) spaces required.

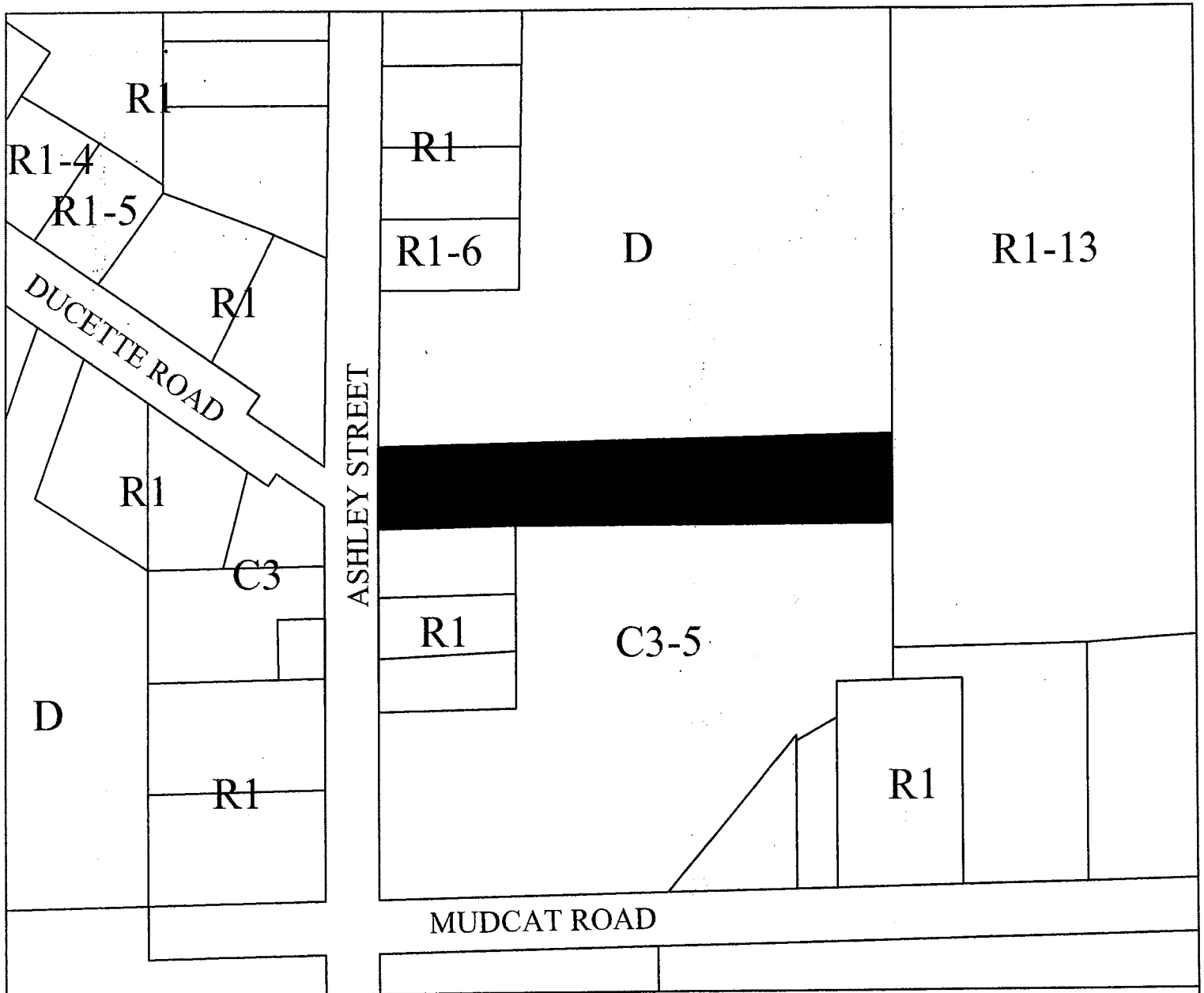
The Approvals Section has noted that the expansion of the on-site parking area will be subject to the Site Plan process to ensure compliance with minimum zoning requirements, appropriate design, stormwater management, and to address any road widening needs. It is also recommended that the requirement of site plan approval be attached as a provision of the holding symbol.

On the basis of the foregoing the application is recommended for approval



Greg Pinchin
Special Projects Planner

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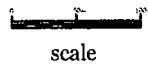


PROPOSED ZONING BY-LAW AMENDMENT

LOCATION - 580 ASHLEY STREET,
REGISTERED PLAN 223 FOXBORO

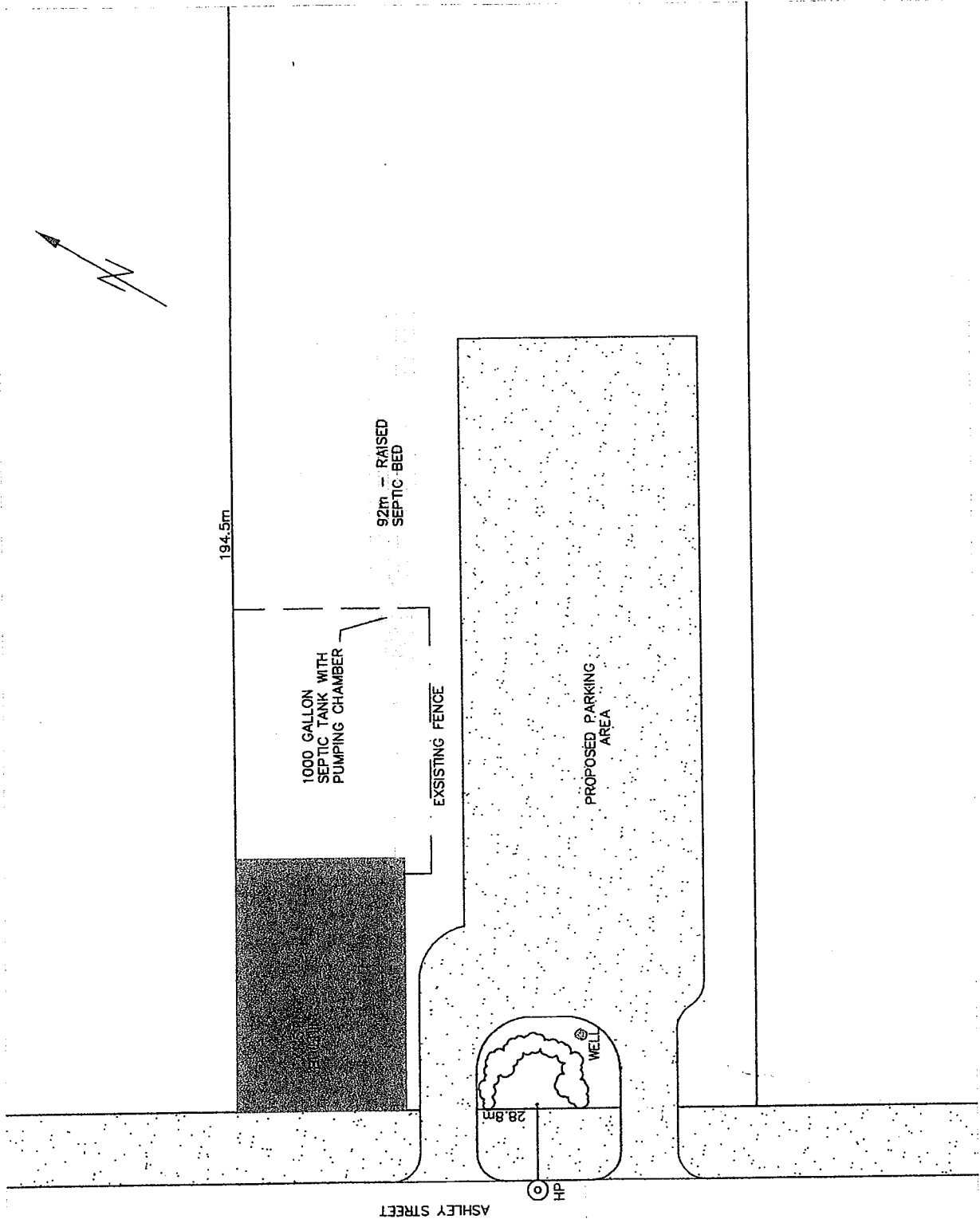


PROPOSED ZONING CHANGE FROM C3-5
(GENERAL COMMERCIAL-5) TO
C3-SPECIAL AS DETAILED IN THE
ATTACHED NOTICE.



scale

| | | |
|------------------------|--|----------|
| CITY OF BELLEVILLE | | DWG. No. |
| scale 1:2400 | | |
| dwn. by J.M.P. Page 21 | | |





APPROVAL BLOCK

DEEDS |

AB

CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT
PLANNING SECTION
Arthur MacKay, Manager of Policy Planning
Report No. AM-2011-08
March 7, 2011

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

Subject: Review of the City of Belleville Official Plan

Recommendation:

"THAT the Manager of Policy Planning's Report No. AM-2011-08,
be received."

BACKGROUND:

Planning Staff has recently met with representatives of the Ministry of Municipal Affairs and Housing regarding the Official Plan review process. As a next step, the Ministry is requesting the holding of a pre-consultation meeting with the partner Ministries of Environment, Natural Resources, Northern Development and Mines, Agriculture, Food and Rural Affairs, Transportation and Culture for the purpose of allowing these Ministries to comment in detail on the Official Plan. The meeting is being organized by the Ministry and is expected to be held late March, early April. To assist in this review, Staff has provided draft Official Plan policies to the Ministry for discussion purposes at the meeting.

In addition, the following matters were raised by the Ministry to Staff:

Natural Heritage

The Ministry advised that it will be a requirement of the update to generate a "constraints" map as an additional schedule to the Official Plan. This map is required to delineate a range of natural heritage features, including wetlands, lands with aggregate potential and other resources. More detail as to the scale and scope of this undertaking will be provided at the pre-consultation meeting with the Provincial Ministries. We have been advised that the Ministry of Natural Resources may have some mapping data to assist in the completion of this exercise.

Urban Serviced Boundary Adjustments

As per Provincial policy requirements, adjustments to the boundary of the City's Urban Serviced area requires completion of what the Province refers to as a "comprehensive review". It is also a requirement of the Ministry that such a review can only occur as part of the Official Plan update process. Therefore, if the City decided not to proceed at this time, we would have to await a minimum of five (5) years until the next required update before undertaking such a review. It is noted that approximately 2/3 of the lands that were expropriated by the City for future industrial purposes are outside the urban boundary. These lands are also predominately designated in the Official Plan "Agricultural Land Use" thereby resulting in other potential Provincial policy issues. Requests have also been received to modify/expand the urban boundary in other areas of the City.

The purpose of a comprehensive review is to provide justification, to the satisfaction of the Ministry, that the urban boundary(s) adjustment(s) are warranted based on such factors as population projections, absorption rates, land needs, rural lot inventory, infrastructure requirements, etc. Given the complexity and involvement of an undertaking of this type, it is Staff's opinion that such a study should be contracted to an outside party. The review will also necessitate additional time to complete the Official Plan update.

Therefore, going forward, Committee and Council will need to consider the following:

- the initiation of a comprehensive review as part of the current Official Plan update;
- the scale and scope of the review (i.e. expropriation lands only, or consideration of other, privately owned lands); and
- the hiring of a consultant to undertake the work.



Arthur MacKay
Manager of Policy Planning



APPROVAL BLOCK
DDEDS | *AB*

CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT
PLANNING SECTION
Arthur MacKay, Manager of Policy Planning
Report No. AM-2011-09
March 7, 2011

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

Subject: Monitoring and Update – City of Belleville Brownfields Community Improvement Plan

Recommendation:

"THAT the Belleville Planning Advisory Committee recommends to City Council that a review of the City of Belleville Brownfields Community Improvement Plan be undertaken as per Section 7 of the Plan and that the matter be referred to the City's Operating Budget process for consideration."

BACKGROUND:

The City's Brownfields Community Improvement Plan has been in effect since 2007 and the duration of the programs is for a five (5) year time horizon. However, Section 7 of the Plan encourages an interim review occurring three (3) years into the Plan. Among other things, the purpose of the review is to determine the effectiveness of the programs and to review the legislative, policy and regulatory base for the purpose of updating the value of the Plan. Mr. Jon Hack, who prepared the Plan for the City when he was with IBI Group, has recommended that this review should occur prior to any resolution to roll the plan forward for another period of time.

It is recommended that this matter be referred to operating budget for consideration. It is anticipated the cost of the review would be approximately \$7,500.00. Section 7 of the Plan is attached for the Committee's benefit.



Arthur MacKay
Manager of Policy Planning

7. MONITORING AND UPDATE

It is important to monitor potential financial impacts on the City arising from those programs based on foregone revenue. The potential future revenue impacts on the City as a result of tax increment financing should be projected as part of the initial decision-making process for each application. While incremental tax increases can represent "new found" revenue as a result of redevelopment that might otherwise not have occurred, the revenue to the City foregone through the grant program should be weighed against the potential increase in direct costs to City services as a result of the re-use of these sites.

The review of the implementation of the Brownfields CIP in year 3 should seek to:

- Document the nature and extent of projects for which applications are made under each program;
- Identify the contribution of assistance under each program to the success of the remediation/redevelopment projects;
- Identify the pros and cons of the process followed for the selection of approved projects under each program and establish to what extent improvements can be made to increase the effectiveness of programs. Part of this process is an understanding of how individual development projects make use of the range of programs in combination with one another;
- Assess and respond to, the need for active marketing of the Plan to potential development projects; and
- Review the applicability of any new and emerging municipal, provincial and federal policies, programs or regulations which can help improve the effectiveness of the Plan.



**ENGINEERING &
DEVELOPMENT SERVICES DEPT.**

BUILDING SECTION

MONTH-END REPORT

REPORT PERIOD: FEBRUARY 2011

www.city.belleville.on.ca



City of Belleville
Building Department
Financial Summary Report

February 2011

| Classification | Permits | Construct Value | Permit Value |
|-----------------------|-----------|------------------------|---------------------|
| Dwellings | 4 | \$1,201,125.00 | \$13,668.25 |
| Additions/Alterations | 11 | \$128,700.00 | \$1,720.00 |
| Garages/Car Ports | 1 | \$60,000.00 | \$600.00 |
| Septic | 0 | \$0.00 | \$0.00 |
| Pools | 0 | \$0.00 | \$0.00 |
| Miscellaneous | 0 | \$0.00 | \$0.00 |
| Commercial | 7 | \$460,500.00 | \$5,237.00 |
| Industrial | 3 | \$222,000.00 | \$2,336.00 |
| Gov't/Institutional | 4 | \$34,293,069.00 | \$347,573.00 |
| Demolition | 1 | \$0.00 | \$75.00 |
| Sign | 0 | \$0.00 | \$0.00 |
| Sub Totals: | 31 | \$36,365,394.00 | \$371,209.25 |

| | This Month | | Year-to-Date | | |
|---------------------|-----------------|----------------|-----------------|-----------------|-----------------|
| | February 2011 | February 2010 | February 2011 | February 2010 | December 2010 |
| Revenue | \$371,209.25 | \$92,197.50 | \$381,310.25 | \$108,919.90 | \$1,058,168.22 |
| Construction Value | \$36,365,394.00 | \$8,548,505.00 | \$37,252,894.00 | \$10,719,795.00 | \$99,544,470.12 |
| Development Charges | \$52,614.00 | \$200,025.00 | \$57,231.27 | \$225,400.00 | \$1,461,197.65 |



City of Belleville
Building Department

Classification Breakdown (YTD)

Period: January 2011 to February 2011

| Classification | Permits | Construct Value | Permit Value |
|-----------------------|-----------|------------------------|---------------------|
| Dwellings | 4 | \$1,201,125 | \$13,668 |
| Additions/Alterations | 31 | \$235,300 | \$3,226 |
| Garages/Car Ports | 2 | \$95,000 | \$950 |
| Septic | 0 | \$0 | \$0 |
| Pools | 0 | \$0 | \$0 |
| Miscellaneous | 0 | \$0 | \$0 |
| Commercial (New) | 0 | \$0 | \$0 |
| Commercial (Alter) | 14 | \$1,146,400 | \$12,782 |
| Industrial (New) | 0 | \$0 | \$0 |
| Industrial (Alter) | 4 | \$282,000 | \$2,936 |
| Gov't/Institutional | 4 | \$34,293,069 | \$347,573 |
| Demolition | 3 | \$0 | \$175 |
| Signs | 0 | \$0 | \$0 |
| Totals: | 62 | \$37,252,894.00 | \$381,310.25 |

| Residential | Units |
|---------------------|----------|
| Singles | 2 |
| Semi-Detached | 0 |
| Multiples | 0 |
| Total Units: | 2 |



City of Belleville
Building Department
Comparative Report

February 2011

| Classification | 2011 | | | 2010 | | |
|--------------------------------|-----------|---------------------|------------------|-----------|--------------------|-----------------|
| | Permits | Construction | Permit Value | Permits | Construction | Permit Value |
| Dwellings | 4 | \$1,201,125 | \$13,668 | 26 | \$6,971,505 | \$76,461 |
| Additions/Alterations | 11 | \$128,700 | \$1,720 | 12 | \$160,000 | \$2,055 |
| Garages/Car Ports | 1 | \$60,000 | \$600 | 0 | \$0 | \$0 |
| Pools | 0 | \$0 | \$0 | 0 | \$0 | \$0 |
| Miscellaneous | 0 | \$0 | \$0 | 1 | \$290,000 | \$2,150 |
| Commercial | 0 | \$0 | \$0 | 0 | \$0 | \$0 |
| Commercial (Alter) | 7 | \$460,500 | \$5,237 | 4 | \$908,000 | \$9,387 |
| Industrial | 0 | \$0 | \$0 | 0 | \$0 | \$0 |
| Industrial (Alter) | 3 | \$222,000 | \$2,336 | 1 | \$20,000 | \$200 |
| Gov't/Institutional | 4 | \$34,293,069 | \$347,573 | 3 | \$174,000 | \$1,645 |
| Demolition | 1 | \$0 | \$75 | 1 | \$0 | \$50 |
| Septic | 0 | \$0 | \$0 | 0 | \$0 | \$0 |
| Sign | 0 | \$0 | \$0 | 2 | \$25,000 | \$250 |
| Building Permit Totals: | 31 | \$36,365,394 | \$371,209 | 50 | \$8,548,505 | \$92,198 |