

AGENDA
BELLEVILLE COMMITTEE OF ADJUSTMENT
APRIL 24, 2014
3:30 P.M.
COUNCIL CHAMBER
CITY HALL

1. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

2. APPLICATIONS AND DECISIONS

- a) Application A 05/14 & B 09/14 Application for Minor Variance and Consent
 151 Enterprise Drive
 Owner: Jenland Properties Limited

The applications were circulated to Manager of Approvals, Manager of Policy Planning, Chief Building Official, Development Technologist, Director of Environmental and Operational Services and Quinte Conservation.

Correspondence from Manager of Approvals, Development Technologist and Quinte Conservation is enclosed. No other responses were received.

- b) Application A 06/14 Application for Minor Variance
 101-103 Cannifton Road
 Owner: Allafin Properties Limited
 Agent: Van Meer Limited

The application was circulated to Manager of Approvals, Manager of Policy Planning, Chief Building Official, Development Technologist, Director of Environmental and Operational Services and Quinte Conservation.

Correspondence from Manager of Approvals and Development Technologist is enclosed. Quinte Conservation had no comments. No other responses were received.

- c) Application B 10/14 Application for Consent
 401 Bell Boulevard
 Owner: Jenland Properties Limited

The application was circulated to Manager of Approvals, Manager of Policy Planning, Chief Building Official, Development Technologist, Director of Environmental and Operational Services and Quinte Conservation.

Correspondence from Manager of Approvals, Development Technologist and Quinte Conservation is enclosed. No other responses were received.

d) Application A 10/13

Application for Minor Variance
122 Latta Drive
Owner: Paul Healy

This application was tabled on June 6, 2013. Correspondence dated May 2013 from Manager of Approvals, Development Technologist and Julie Dean (signed by several neighbours) is enclosed.

3. GENERAL BUSINESS

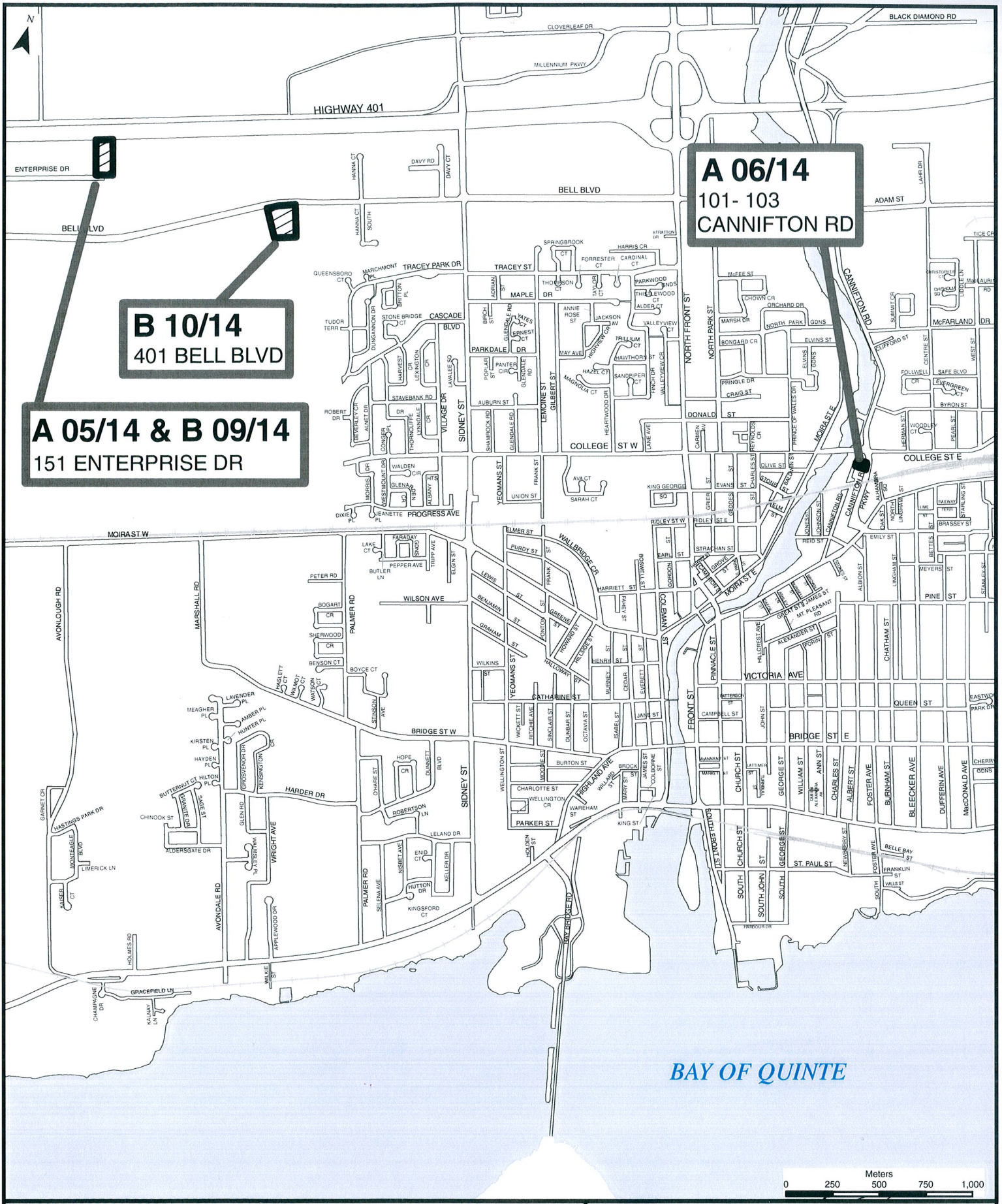
a) Confirmation of the Minutes of the regular meeting of the Belleville Committee of Adjustment held on February 27, 2014.

4. CORRESPONDENCE

5. OTHER BUSINESS

6. OLD BUSINESS

7. ADJOURNMENT



B 10/14
401 BELL BLVD

A 05/14 & B 09/14
151 ENTERPRISE DR

A 06/14
101- 103
CANNIFTON RD

BAY OF QUINTE



Committee of Adjustment Location Map



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT
APRIL 24, 2014

**CITY OF BELLEVILLE
COMMITTEE OF ADJUSTMENT
NOTICE OF CONSENT APPLICATION**

TAKE NOTICE that the City of Belleville Committee of Adjustment will hold a meeting on **Thursday April 24, 2014 at 3:30 p.m.** in the **Council Chamber**, Fourth Floor, Belleville City Hall, 169 Front Street, Belleville to consider an application under Section 45 and Section 53 of the Planning Act, submitted by John Belanger / Jenland Properties Limited.

The Applicant wishes to sever a parcel of land on the north side of Enterprise Drive, east of Hannafin Road, which would have a frontage of 290 feet along an eastern extension of Enterprise Drive and an area of approximately 4.0 acres, as shown on the sketch provided on the back of this page.

Currently the proposed severed parcel is vacant. The Applicant wishes to locate a sales office along with model homes on display for a prefab housing manufacturer on this property. The model homes would constitute "outside storage" although there would not be a main use on this land.

The severed parcel is zoned CH-25/MS-H – Highway Commercial Exception No. 25/Special Industrial Zone which permits a wide range of non-residential uses.

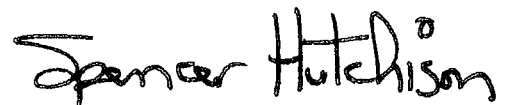
Additional information relating to the proposed consent or variance application in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act is available for inspection between 8:30 A.M. and 4:30 P.M., Monday to Friday, at the Planning Department, 2nd Floor, Belleville City Hall, 169 Front Street, Belleville.

Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to these two applications or you may be represented by counsel for that purpose.

If you wish to be notified of the decision of the City of Belleville Committee of Adjustment in respect of this proposed consent or variance, you must make a written request to the City of Belleville Committee of Adjustment.

If a person or public body that files an appeal of a decision of the City of Belleville Committee of Adjustment in respect of the proposed consent or variance does not make a written submission to the City of Belleville Committee of Adjustment before it gives or refuses to make a decision, the Ontario Municipal Board may dismiss the appeal.

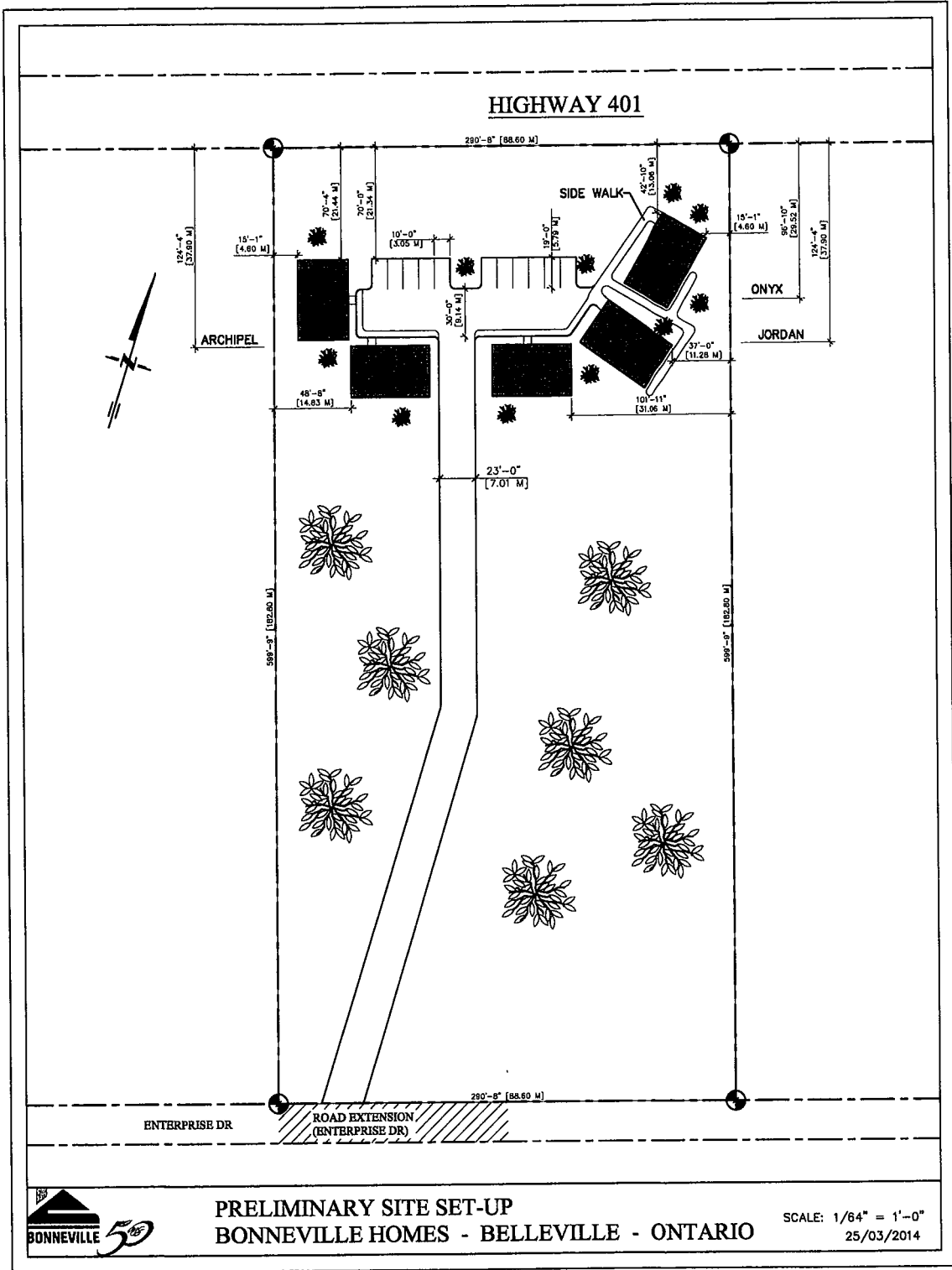
Dated this 7th day of April, 2014



Spencer Hutchison
Secretary-Treasurer
City of Belleville
Committee of Adjustment
169 Front Street
BELLEVILLE, ON
K8N 2Y8
Tel: (613) 967-3234
Email: shutchison@city.belleville.on.ca

X





**CONSENT & MINOR VARIANCE APPLICATION REVIEW
City of Belleville**

Date: **April 17, 2014**

File No.: **A05/14 and B09/14**

Location: **151 Enterprise Drive**

Applicant: **Jenland Properties Limited**

- Proposal:**
1. To sever the subject lands to create a new commercial building lot with a frontage of approximately 290 feet on the north side of Enterprise Drive, east of Hannafin Road, with a lot area of 4.0 acres.
 2. To allow the sale and outside display of modular homes on the severed parcel.

Severed Parcel:

frontage:	290 feet
area:	4 acres
current use:	vacant land
proposed use:	sales centre and display of modular homes

Retained Parcel:

frontage:	4,593 feet
area:	145 acres
current use:	vacant land
proposed use:	no change/unknown at this time

Official Plan: (Loyalist Secondary Plan)

Current Designation: Employment Area

Policies: Lands designated Employment Area on Schedule A are intended to be used for a full range of commercial and industrial land uses. They are lands that will provide employment opportunities to the residents of the region and are located primarily on major transportation routes to ensure maximum exposure to the traveling public and to facilitate ease of access
Development parcels should have direct access to an open municipal street
New development parcels should not be created without access to services adequate to meet the needs of the use intended for the lot

Zoning By-law 2076-80:

Current Zoning: CH-25/MS-H Holding Zone

Permitted Use: a range of commercial and special industrial uses

Proposed Use: sales centre and display of modular homes

Open storage is not permitted

minimum lot area: nil

minimum lot frontage: 98 feet

No person shall erect any building or structure or use any lot in any zone for any purpose, unless the lot on which such building or structure is to be located has frontage on an improved road that abuts said lot

Comments:

1. first of all it is noted that the subject lands are located within the Urban Serviced Area; as such development is to be on full municipal services;
2. similarly, City policy is that all lots have to front on a municipally maintained street and if the street terminates in a cul de sac a proper turn around has to be provided;
3. in addition it is City policy that on a cul de sac the road must be extended across the full width of the lot so that, as required, the street can be extended;
4. it is noted that the applicant owns the abutting land to the east and south of the severed parcel;
5. thus the requirement to extend the street and municipal services to the severed parcel would open up and benefit the retained lands;
6. if the argument is made that the future of the retained lands is unknown and thus premature to service at this time, then the case is made that severing the subject lands at this time is premature;
7. the municipality cannot look at development in a piecemeal fashion and only in the short-term; good planning requires looking at development in a comprehensive manner and over a longer timeline;
8. the Owner will be required to reimburse the City for the cost of installing services along Bell Boulevard;
9. Municipal policy is to collect a cash-in-lieu of parkland contribution for all new building lots that are created;
10. the development of the severed parcel will have to conform to the requirements of the master hydrogeological, stormwater management and transportation plans for this area of the municipality; each of these plans are either completed or nearing completion;
11. it could be argued that the proposed use of the severed parcel does not meet the policies of the Loyalist Secondary Plan; there will be no employment opportunities provided to the residents of the region;
12. in essence the use of the subject lands could be equated to a three dimensional billboard; a product is being offered for sale but the product is being produced at another location outside the municipality;
13. compared to other uses that make use of outdoor storage or display, such as a car dealership or nursery or garden centre or farm implement sales and service there is a quantifiable on-site economic impact and employment.

Conclusion:

1. Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by Jenland Properties Limited to sever the subject lands to create a new commercial building lot with a frontage of approximately 290 feet on the north side of Enterprise Drive, east of Hannafin Road, with a lot area of 4.0 acres, subject to the following conditions:
 1. the financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property to be satisfied;
 2. the City Parks Policy with respect to cash-in-lieu contribution established by the Council of the Corporation of the City of Belleville shall apply to the severed parcel and the necessary payment lodged with the Treasurer of the City of Belleville;
 3. the Owner will be required to reimburse the City for the cost of installing services along Bell Boulevard;

4. the Owner entering into a development agreement with the Municipality acknowledging that:
 - the development of the severed parcel will be subject to site plan review and approval;
 - that the approved site plan must adhere to the comprehensive traffic plan for Bell Boulevard;
 - that the approved site plan must adhere to the Bell Boulevard Hydrogeological Assessment;
 - that the approved site plan must adhere to the Potter Creek Stormwater Management Facility 6 & 7 Design Brief, or equivalent, master drainage study;
 - that the approved site plan will require the extension of Enterprise Drive across the full frontage of the severed parcel;
 - that the approved site plan will require the servicing of the severed parcel by Municipal water and sanitary sewer;
 - that the approved site plan agreement will require security to be posted to cover the off-site costs of developing the severed parcel.
5. The Owner shall submit the necessary deeds in triplicate and Conditions 1 to 4 inclusive be fulfilled prior to the issuance of the Consent Certificate;
6. Conditions 1 to 5 inclusive to be fulfilled within one (1) year of the Committee's Decision;
7. The Development Charges Policy established by the Council of Corporation of the City of Belleville shall apply to all newly created building lots.

2. Based on the foregoing, the Approvals Section of the Engineering and Development Services Department does not support the application by Jenland Properties Limited to allow the sale and outside display of model homes on the severed parcel.



Spencer Hutchison
Manager of Approvals

MEMORANDUM

To: Spencer Hutchison
Manager, Approvals Section

From: Jeff Shortt,
Development Technologist

Date: April 3, 2014

Application No. A05/14

Regarding: Committee of Adjustment Variance Application A05/14
Enterprise Drive, Belleville
OWNER: John Belanger

The Approvals Section has the following engineering comments with respect to the above noted application:

We have no objection to this application.



Jeff Shortt C.E.T.

MEMORANDUM

To: Spencer Hutchison
Manager, Approvals Section

From: Jeff Shortt,
Engineering Development Technologist

Date: April 3, 2014

Application No. B09/14

Regarding: Committee of Adjustment Application for Consent B09/14
Enterprise Drive, Belleville
OWNER: John Belanger

The Approvals Section has the following engineering comments with respect to the above noted application:

We have no objection to this consent; however the applicant shall be advised of the following in relation to this application:

1. The property has a Holding "H" symbol which would require the following to be addressed prior to development:
 - a) Finalization of a traffic study/review to the satisfaction of the City and MTO.
2. The severed parcel is required to have municipal services. A sanitary sewer main and watermain, which will be City owned, will need to be extended to the site, in a location approved by the City.
3. Enterprise Drive is to be extended along the entire frontage of the severed parcel. A turning basin conforming to the City's standards is to be constructed at the east end of the road. Additional road widening will be required to accommodate the construction of the basin.
4. A grading/drainage plan is to be provided if any existing drainage corridors on the property are to be rerouted. Drainage for the site is to be provided in accordance with the Potters Creek Master Drainage Plan Implementation Report, Potter Creek Stormwater Management Facility 6 & 7 Design Brief, and to the satisfaction of the City and Quinte Conservation.

5. There is a 0.3 metre reserve along the entire frontage of the existing property fronting Bell Boulevard. The City will require a payment for the existing services that are along Bell Boulevard before the reserve can be lifted for the severed portion. The calculation is as follows:

$$\$7,111.05 \times 4\text{ac} = \$28,444.20$$

$$\$28,444.20 + \text{annual interest of } 2.6\% \text{ starting June } 24/06 = \sim\$34,776.07$$

Therefore a payment of $\sim\$34,776.07$ would have to be paid to the City before the 0.3 metre reserve is lifted. This payment is based on the accumulative interest up to April, 2014; interest is incurred until the payment is made.



Jeff Shortt C.E.T

QUINTE CONSERVATION PLANNING ACT REVIEW

File: Minor Variance A05/14
Lot/Con: Part Lot 32-36, Concession 2
Geographic Township: Thurlow (formerly Sidney)
Municipality: Belleville
Owner/Agent: Jenland Properties Limited, c/o John Belanger
Feature: Watercourses draining into Potters Creek

Comments for above note application:

As per the application provided to this office, it is our understanding that the variance requests that the model home displays be exempted from the "outside storage" restriction.

Staff have reviewed the application along with all pertinent information relating to the subject property, and reviewed the application with respect to the applicability of Ontario Regulation #319/09 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), Quinte Conservation policies, and the natural hazard policy of the Provincial Policy Statement. Based on our review, we do not object to the approval of this application as presented.

Ontario Regulation #319/09 (Quinte Conservation Authority: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)

Portions of the subject lands lie within the regulated area of watercourses which drain into Potters Creek. The owners will need to apply to the Conservation Authority for a permit prior to development (construction / filling/ excavation/ site grading) within 30 metres of the high water mark of each watercourse. Through the permit application process, the Authority will identify any potential concerns associated with any natural hazards on the subject lands, and review the permit application in light of Regulation #319/09 and Authority policies before deciding to issue or deny the permit.

Stormwater Management

The subject lands are located within the Potter Creek watershed. In 2008, XCG Consultants prepared the Potter Creek Master Drainage Plan for the watershed. The purpose of the Master Drainage Plan was to provide a hydrologic analysis of the watershed and to provide guidance for stormwater management planning. Quinte Conservation encourages the implementation of the Potter Creek Master Drainage Plan with respect to any proposed development. Our staff are available to discuss the stormwater management strategy for the subject development at the request of the City or developer.

c.c. Jenland Properties, c/o John Belanger



Sam Carney
Technical Administrative Assistant

April 15, 2014
Date

**CITY OF BELLEVILLE
COMMITTEE OF ADJUSTMENT
NOTICE OF MINOR VARIANCE APPLICATION**

TAKE NOTICE that the City of Belleville Committee of Adjustment will hold a meeting on **Thursday April 24, 2014 at 3:30 p.m.** in the **Council Chamber**, Fourth Floor, Belleville City Hall, 169 Front Street, Belleville to consider an application under Section 45 of the Planning Act, submitted by Arnold Vandermeer on behalf of Ed Hannafin.

This application is to allow 2 ground floor residential units on the property municipally known as 103 Cannifton Road. This property is zoned C2 - General Commercial Zone which only allows residential units on upper floors. There are no plans to enlarge the existing building on the subject property.

A location map of the proposed variance is provided on the back of this page.

Additional information relating to the proposed minor variance application in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act is available for inspection between 8:30 A.M. and 4:30 P.M., Monday to Friday, at the Planning Department, 2nd Floor, Belleville City Hall, 169 Front Street, Belleville.

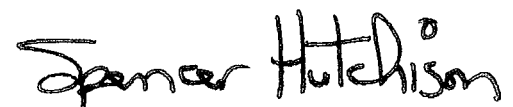
Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to this application or you may be represented by counsel for that purpose.

If you wish to be notified of the decision of the City of Belleville Committee of Adjustment in respect of this proposed minor variance, you must make a written request to the City of Belleville Committee of Adjustment.

If a person or public body that files an appeal of a decision of the City of Belleville Committee of Adjustment in respect of the proposed minor variance does not make a written submission to the City of Belleville Committee of Adjustment before it gives or refuses to give approval, the Ontario Municipal Board may dismiss the appeal.

The lands subject to this application for a minor variance are **not** subject to any other type of planning application.

Dated this 7th day of April, 2014



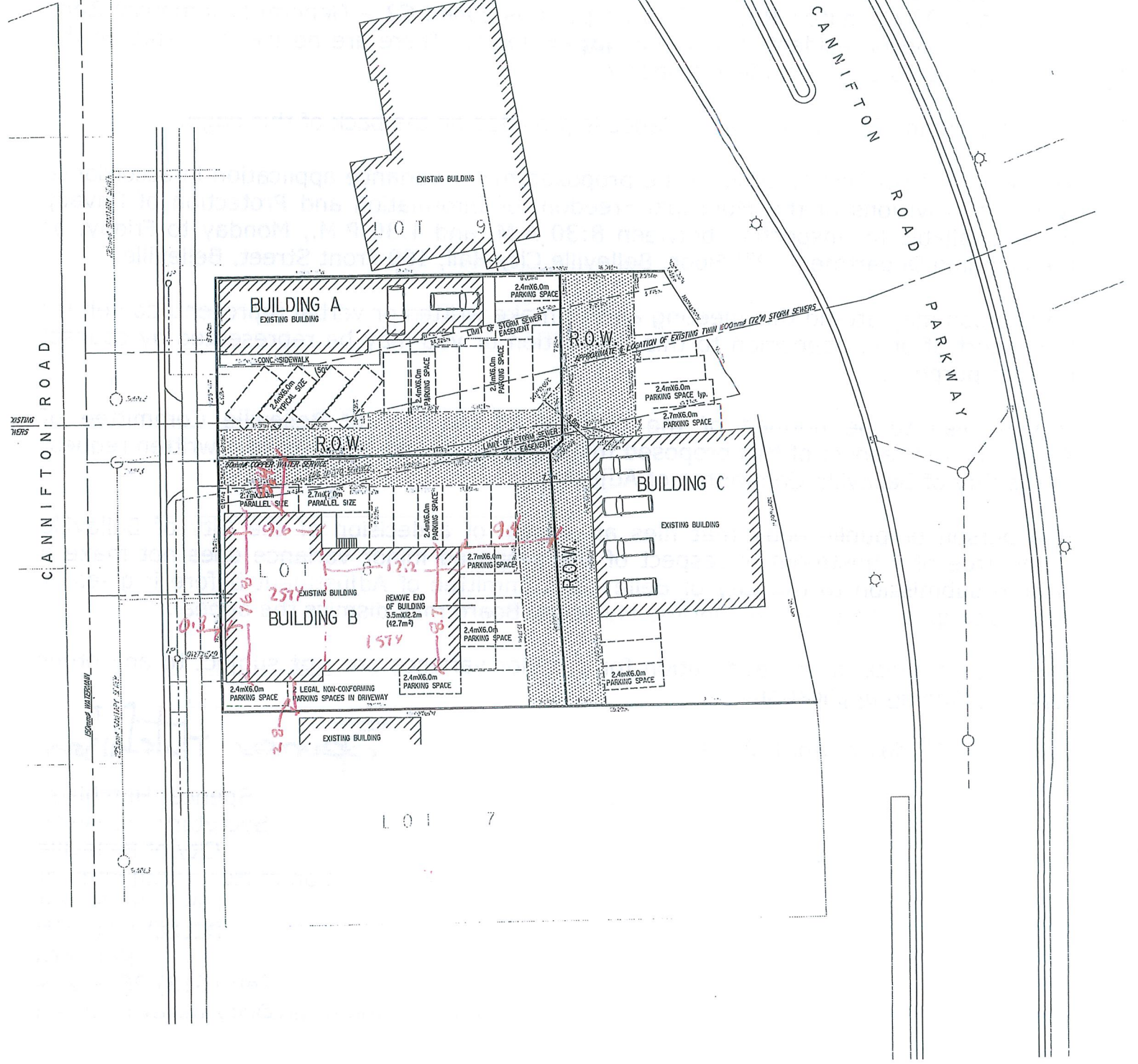
Spencer Hutchison
Secretary-Treasurer
City of Belleville
Committee of Adjustment
169 Front Street
BELLEVILLE, ON
K8N 2Y8
Tel: (613) 967-3234
Email: shutchison@city.belleville.on.ca

COLLEGE STREET

CANNIFTON ROAD

CANNIFTON ROAD

PARKWAY



LOT 7

MINOR VARIANCE APPLICATION REVIEW
City of Belleville

Date: **April 16, 2014**

File No.: **A6/14**

Location: **101-103 Cannifton Road**

Applicant: **Allafin Properties Ltd.**

Proposal: To allow the ground floor of the building on the property located at 101-103 Cannifton Road to be used for residential uses.

Official Plan:

Current Designation: Commercial Land Use

Permitted Uses: a range of commercial land uses

Zoning By-law 10245

Current Zoning: C2 – General Commercial Zone

Permitted Uses: 1. a range of commercial uses including a retail store, service shop and a business, professional and/or administrative office

2. Dwelling units above the first floor of commercial uses other than motor vehicle body shops, motor vehicle sales rooms and lots and/or motor vehicle repair garages.

Proposed Use: ground floor residential units; upper floor residential units

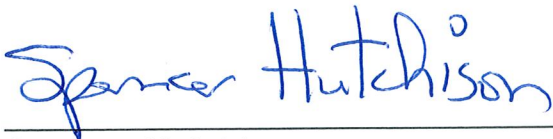
Comments:

1. currently there is a 2-storey building on the subject property that is zoned for commercial uses while residential uses are allowed on the 2nd floor;
2. the applicant wishes to use the ground floor space for residential uses; it is very difficult to find commercial tenants willing to rent space at this location;
3. this application will not remove the commercial zoning from the subject property but allow ground floor residential units; the commercial uses could be re-instated if market conditions permit;
4. in the long term this area along Cannifton Road should be used commercially, however this transformation is still in the works;
5. as noted, the current zoning does allow residential units in upper floors on the subject property;

6. in 2009 the Committee approved a variance application for the abutting property to the north to use the ground floor for residential uses (File A4/09);
7. lands to the south, west and north of the subject lands are used for residential purposes;
8. no expansion to the existing building is proposed with only interior renovations being contemplated; these renovations will have to comply with the requirements of the Ontario Building Code and will require a building permit;
9. sufficient on-site parking has been provided;
10. the proposed variance would allow for the appropriate development of the subject lands without changing the underlying zoning of the property.

Conclusion:

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by Allafin Properties Ltd. to allow the ground floor of the building on the property located at 101-103 Cannifton Road to be used for residential uses.



Spencer Hutchison
Manager of Approvals

MEMORANDUM

To: Spencer Hutchison
Manager, Approvals Section

From: Jeff Shortt,
Development Technologist

Date: April 3, 2014

Application No. A06/14

Regarding: Committee of Adjustment Variance Application A06/14
101-103 Cannifton Road, Belleville
OWNER: Ed Hannafin
AGENT: VanMEER Limited

The Approvals Section has the following engineering comments with respect to the above noted application:

We have no objection to this application.



Jeff Shortt C.E.T.

**CITY OF BELLEVILLE
COMMITTEE OF ADJUSTMENT
NOTICE OF CONSENT APPLICATION**

TAKE NOTICE that the City of Belleville Committee of Adjustment will hold a meeting on **Thursday April 24, 2014 at 3:30 p.m.** in the **Council Chamber**, Fourth Floor, Belleville City Hall, 169 Front Street, Belleville to consider an application under Section 53 of the Planning Act, submitted by John Belanger / Jenland Properties Limited.

This application is submitted to create a new commercial/industrial lot on the south side of Bell Boulevard, west of Hanna Court. The subject lands are currently vacant. A sketch of the proposed severance is found on the back of this notice.

The proposed severed lot is zoned CH-25/MS-H – Highway Commercial Exception No. 25/Special Industrial Zone and would have a minimum lot frontage of approximately 369 feet on the south side of Bell Boulevard and a minimum lot area of 5.1 acres.

It is noted that this application is a re-submission of Application B2/13 which was approved by the Committee of Adjustment but never finalized in the required timeframe.

Additional information relating to this proposed consent application in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act is available for inspection between 8:30 A.M. and 4:30 P.M., Monday to Friday, at the Planning Department, 2nd Floor, Belleville City Hall, 169 Front Street, Belleville.

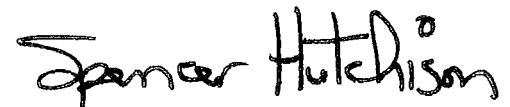
Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to this application or you may be represented by counsel for that purpose.

If you wish to be notified of the decision of the City of Belleville Committee of Adjustment in respect of this proposed consent, you must make a written request to the City of Belleville Committee of Adjustment.

If a person or public body that files an appeal of a decision of the City of Belleville Committee of Adjustment in respect of the proposed consent does not make a written submission to the City of Belleville Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.

The lands subject to this application for consent are not subject to any other type of planning application.

Dated this 7th day of April, 2014

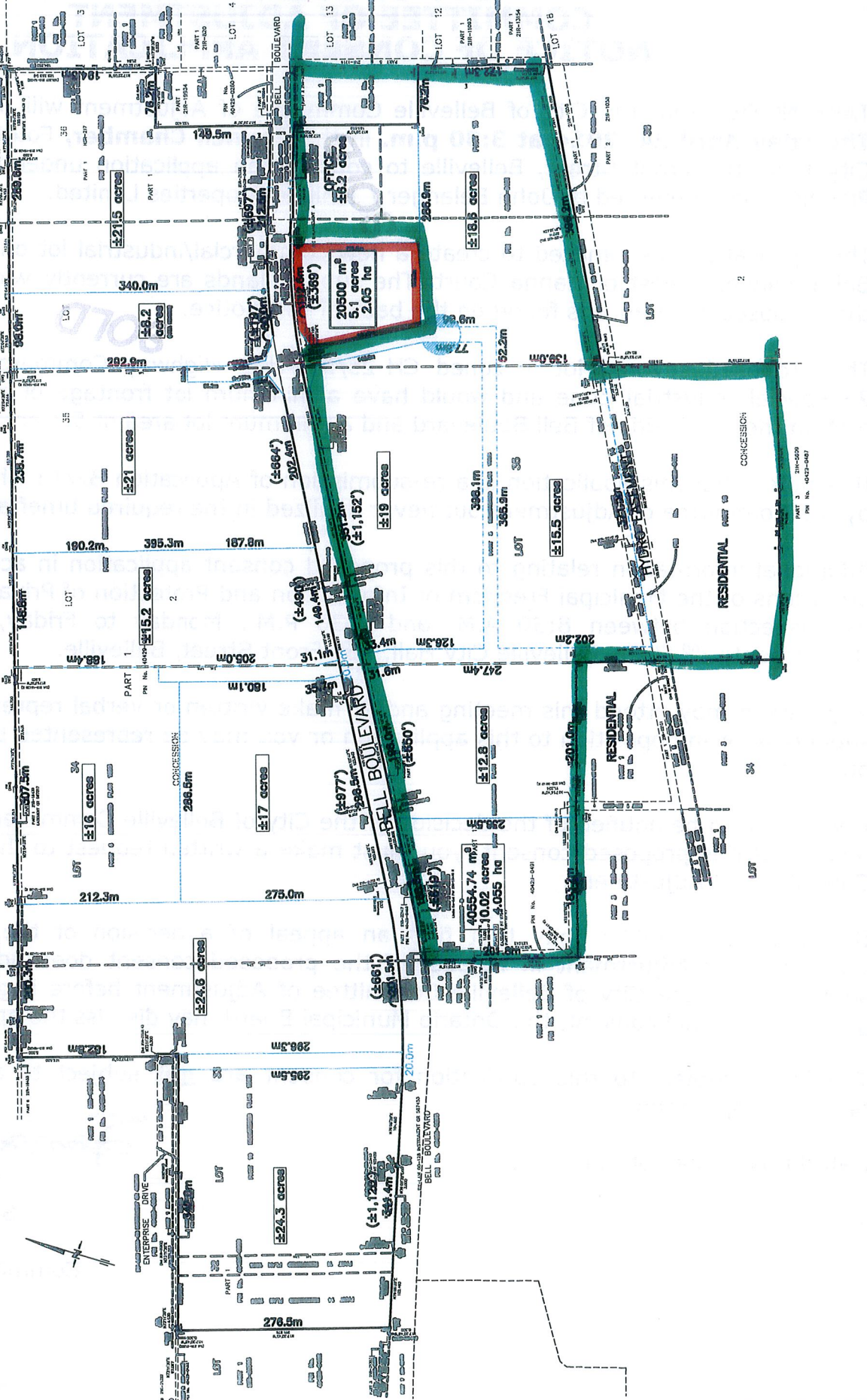


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HIGHWAY 401

THE KING'S HIGHWAY No. 401 (Plan 1303)
PART 1 (Plan 1303) PN No. 40432-0



PART 3 (Plan 1303) PN No. 40432-1003



**CONSENT APPLICATION REVIEW
City of Belleville**

Date: **April 17, 2014**

File No.: **B10/14**

Location: **Bell Boulevard (Pt Lt 36, Con 2)**

Applicant: **Jenland Properties Limited**

Proposal: To sever the subject lands to create a new commercial building lot with a frontage of approximately 369 feet on the south side of Bell Boulevard, west of Hanna Court, with a lot area of 5.1 acres.

Severed Parcel: frontage: ≈369 feet on the south side of Bell Boulevard
 area: 5.1 acres
 current use: vacant land
 proposed use: commercial use

Retained Parcel: frontage: ≈2,418 feet on the south side of Bell Boulevard
 area: 108 acres
 current use: vacant land
 proposed use: unchanged

Official Plan:

Current Designation: Business
Permitted Uses: a range of commercial and industrial uses.

Zoning By-law 2076-80:

Current Zoning: CH-25/MS-H Holding Zone

Permitted Use: range of commercial and industrial uses
Proposed Use: hotel, office and retail store
minimum lot area: nil
minimum lot frontage: 98 feet
holding provision: not to be lifted until completion of traffic study/review to the satisfaction of the City

Comments:

1. in early 2013 the Committee of Adjustment approved application B2/13 which was identical to this current severance application; however the conditions of approval were never completed in the legislated timeframe and the approval lapsed; as a result

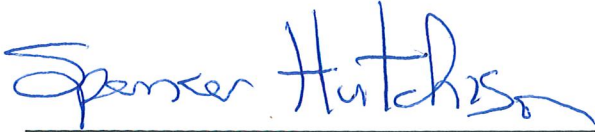
- the owner is reapplying;
2. both the severed and retained parcels will each require their own separate water and sewer services;
 3. the Owner will be required to reimburse the City for the cost of installing services along Bell Boulevard;
 4. Municipal policy is to collect a cash-in-lieu of parkland contribution for all new building lots that are created;
 5. Municipal policy is to acquire land for a road widening if the road on which the subject lands front does not meet the standard right of way width requirements of the specific road classification (ie: arterial road);
 6. full access to this property will be via the west side of the severed parcel and not Bell Boulevard;
 7. the development of the severed parcel will have to conform to the requirements of the master hydrogeological, stormwater management and transportation plans for this area of the municipality; each of these plans are either completed or nearing completion;
 8. It is felt that this proposed severance reflects appropriate development as long as the master planning documents for this section of the municipality are adhered to.

Conclusion:

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by Jenland Properties Limited to sever the subject lands to create one new commercial building lot with a frontage of approximately 369 feet on the south side of Bell Boulevard, west of Hanna Court, with a lot area of 5.1 acres, subject to the following conditions:

1. a survey registered on title for the severed parcel be submitted (two full-size paper copies and a digital copy) to the Secretary-Treasurer of the City of Belleville Committee of Adjustment;
2. the financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property to be satisfied;
3. the City Parks Policy with respect to cash-in-lieu contribution established by the Council of the Corporation of the City of Belleville shall apply to the severed parcel and the necessary payment lodged with the Treasurer of the City of Belleville;
4. the applicant deeding (conveying) to the City free of encumbrance a strip of land across the frontage of the severed parcel to widen the Bell Boulevard road allowance by 5 metres;
5. the existing 1' reserve along the frontage of the severed parcel has to be removed;
6. the Owner acknowledging in writing that the development of the severed parcel will be subject to site plan review and approval and that the approved site must adhere to the comprehensive traffic plan for Bell Boulevard; must adhere to the Bell Boulevard Hydrogeological Assessment, and; must adhere to the Potter Creek Stormwater Management Facility 6 & 7 Design Brief;
7. the necessary deeds to be submitted in triplicate and Conditions 1 to 6 inclusive be fulfilled prior to the issuance of the Consent Certificate;

8. Conditions 1 to 7 inclusive to be fulfilled within one (1) year of the Committee's Decision;
9. development charges will be payable for any future development of the severed parcel;
10. before development of the severed parcel can take place the existing H – Holding Zone designation on the severed parcel has to be removed.



Spencer Hutchison
Manager of Approvals

MEMORANDUM

To: Spencer Hutchison
Manager, Approvals Section

From: Jeff Shortt,
Engineering Development Technologist

Date: April 3, 2014

Application No. B10/14

Regarding: Committee of Adjustment Application for Consent B10/14
Part Lot 34-36, Bell Boulevard, Belleville
OWNER: John Belanger

The Approvals Section has the following engineering comments with respect to the above noted application:

1. The property has a Holding "H" symbol which would require the following to be addressed prior to development:
 - a) Finalization of a traffic study/review to the satisfaction of the City and MTO.
2. The applicant shall be advised that we require the applicant to deed, gratuitously to the Municipality a road widening of 5 metres along both the severed and retained portions of the property fronting Bell Boulevard.
3. Access to the severed portion is to be via a shared private driveway opposite the existing private driveway servicing 400 Bell Boulevard. Direct access to Bell Boulevard is not permitted.
4. A grading/drainage plan is to be provided showing how the existing drainage corridor on the property is to be rerouted. Drainage for the site is to be provided in accordance with the Potters Creek Master Drainage Plan Implementation Report, Potters Creek Stormwater Management Facility 6 & 7 Design Brief, and to the satisfaction of the City and Quinte Conservation.
5. There is a 0.3 metre reserve along the entire frontage of the existing property fronting Bell Boulevard. The City will require a payment for

the existing services that are along Bell Boulevard before the reserve can be lifted for the severed portion. The calculation is as follows:

$$\$7,111.05 \times 5.1\text{ac} = \$36,266.35$$

$$\$36,266.35 + \text{annual interest of } 2.6\% \text{ starting June } 24/06 = \sim\$44,343.00$$

Therefore a payment of $\sim\$44,343.00$ would have to be paid to the City before the 0.3 metre reserve is lifted. This payment is based on the accumulative interest up to April, 2014; interest is incurred until the payment is made.



Jeff Shortt C.E.T

QUINTE CONSERVATION PLANNING ACT REVIEW

File: Consent B10/14
Lot/Con: Part Lot 32-36, Concession 2
Geographic Township: Thurlow (formerly Sidney)
Municipality: Belleville
Owner/Agent: Jenland Properties Limited, c/o John Belanger
Feature: Watercourses draining into Potters Creek

Comments for above note application:

As per the application provided to this office, it is our understanding that the proposal will create a new 4 acre commercial lot which will front onto Bell Boulevard.

Staff have reviewed the application along with all pertinent information relating to the subject property, and reviewed the application with respect to the applicability of Ontario Regulation #319/09 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), Quinte Conservation policies, and the natural hazard policy of the Provincial Policy Statement. Based on our review, we do not object to the approval of this application as presented.

Ontario Regulation #319/09 (Quinte Conservation Authority: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)

Portions of the subject lands lie within the regulated area of watercourses which drain into Potters Creek. The owners will need to apply to the Conservation Authority for a permit prior to development (construction / filling/ excavation/ site grading) within 30 metres of the high water mark of each watercourse. Through the permit application process, the Authority will identify any potential concerns associated with any natural hazards on the subject lands, and review the permit application in light of Regulation #319/09 and Authority policies before deciding to issue or deny the permit.

Stormwater Management

The subject lands are located within the Potter Creek watershed. In 2008, XCG Consultants prepared the Potter Creek Master Drainage Plan for the watershed. The purpose of the Master Drainage Plan was to provide a hydrologic analysis of the watershed and to provide guidance for stormwater management planning. Quinte Conservation encourages the implementation of the Potter Creek Master Drainage Plan with respect to proposed development. Our staff are available to discuss the stormwater management strategy for the subject development at the request of the City or developer.

c.c. Jenland Properties, c/o John Belanger



Sam Carney
Technical Administrative Assistant

April 15, 2014

Date



City of Belleville

Engineering & Development Services Department

169 Front Street

Tel: 613-968-6481

Fax: 613-967-3262

Belleville Committee
of Adjustment

APPLICATION NO.
A 10/13

May 16, 2013

Dear Sir and/or Madam:

**RE: Application for Minor Variance
122 Latta Drive
Owner: Paul Healy**

An application under the Planning Act has been submitted by the above owner requesting a certain variance from the Zoning By-law.

PROPERTY DESCRIPTION

The subject property has 377 feet of frontage on the north side of Hoskins Road, a depth of 201 feet and some 1.75 acres in area. The property is improved with a vacant commercial building and shed and is zoned C2 - Rural Commercial by the City's Zoning By-Law No. 3014. Municipally this property is known as 122 Latta Drive.

REQUEST AND COMMENT

The applicant is requesting a minor variance to allow the sale of boats, motors and related equipment from the subject property. The C2 zone does not permit the sale of boats and related marine equipment nor does any other zone category in By-law 3014 (Thurlow zoning by-law).

Zoning By-law 3014 has a definition for a "marine dealer". However, this use is not assigned to any land use zone.

DATE AND PLACE OF PUBLIC HEARING

The Belleville Committee of Adjustment will hold a Public Hearing in accordance with the requirements of the Planning Act on **June 6, 2013** at **3:30 p.m.** in the Council Chamber, Fourth Floor, City Hall, 169 Front Street, Belleville, to consider the subject application.

NOTIFICATION

The Rules of Procedure laid down by the Ministry of Municipal Affairs under the Planning Act state that persons who, in the opinion of the Committee, have an interest in the subject matter of the application be notified. Therefore, inasmuch as you are an assigned landowner within a **60-metre** radius of the subject property, I am notifying you in order that you may, if you so desire, express your views on the proposal.

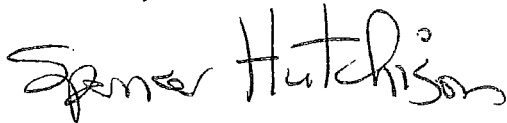
If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submission to the Committee before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.

If you wish to be notified of the Decision of the Committee of Adjustment in respect of this application, you must submit a written request to the Secretary-Treasurer.

INFORMATION

If you require any further information, please do not hesitate to telephone us or call in person at our office between 8:30 a.m. and 4:30 p.m. where a plan of the property concerned is available for inspection.

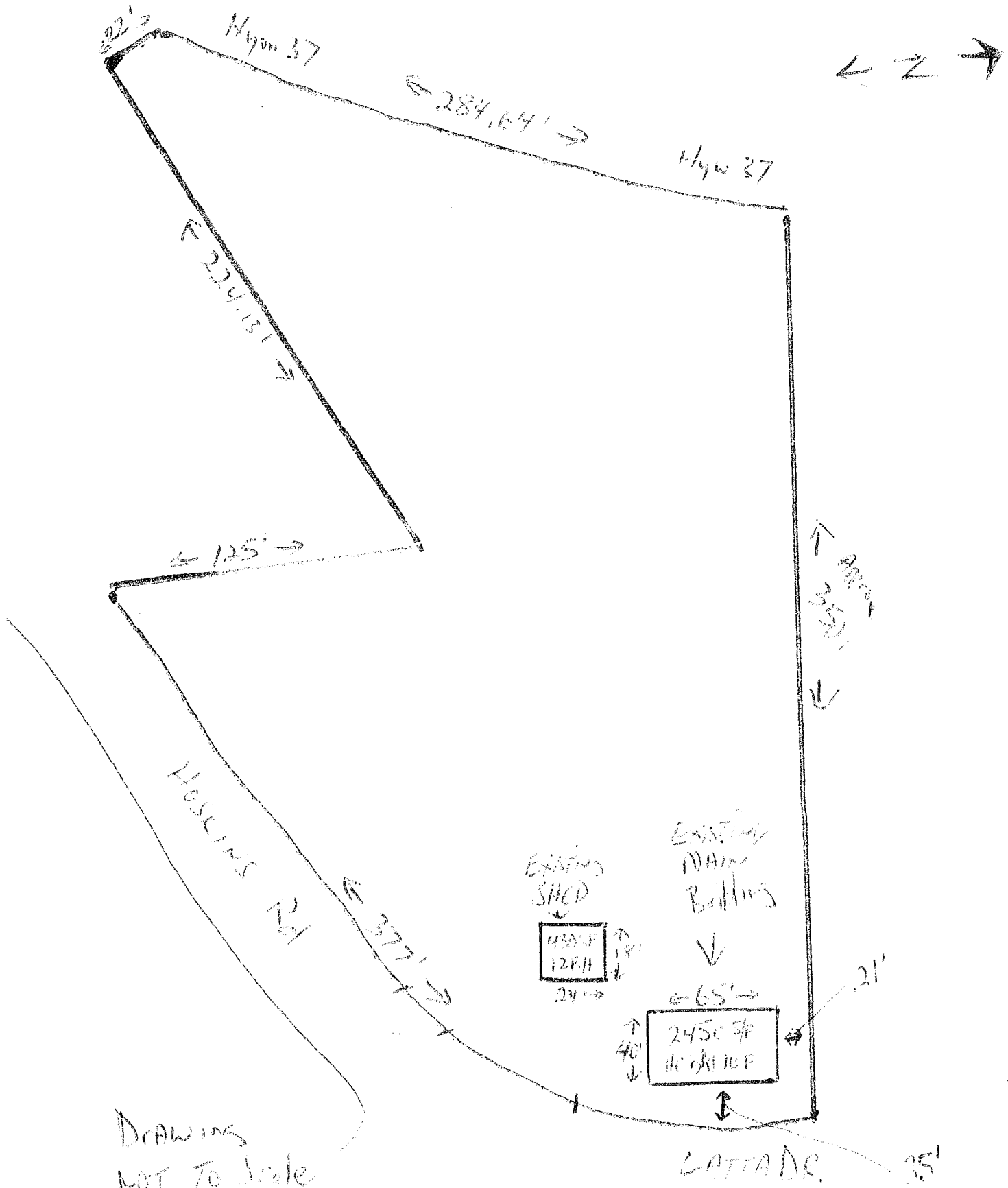
Yours truly,

A handwritten signature in black ink that reads "Spencer Hutchison". The signature is written in a cursive, flowing style.

SPENCER HUTCHISON
SECRETARY-TREASURER

SH/MG
enclosure

122 LATA DR.



DRAWINGS NOT TO SCALE

LATA DR. 35'

MINOR VARIANCE APPLICATION REVIEW
City of Belleville

Date: May 31, 2013

File No.: A10/13

Location: 122 Latta Drive

Applicant: Paul Healy

Proposal: To allow for the sale of boats, motors and related equipment from the property at 122 Latta Drive.

Planning Act: where the uses of land, buildings or structures permitted in the by-law are defined in general terms, the Committee of Adjustment may permit the use of any land, building or structure for any purpose that, in the opinion of the Committee, conforms with the uses permitted in the by-law

Official Plan:

Current Designation: Hamlet

Permitted Uses: The Hamlet areas are predominantly residential but a variety of commercial, industrial, community facility and recreational/open space uses are also located in the Hamlets

Policies: Commercial uses permitted in Hamlets may include a wide range of commercial uses that provide services for residents of the Hamlet and the surrounding area, and the traveling public. Commercial development should generally be small-scale and be permitted only along the main roads in the Hamlets

Commercial and industrial uses should be compatible with surrounding uses, both existing and proposed, particularly with regard to appearance, traffic generation potential noise and any other potential nuisance features.

Zoning By-law 3014:

Current Zoning: C2 – Rural Commercial Zone

Permitted Uses: a range of commercial uses including a nursery or garden centre, an eating establishment, a flea market, a farm implement sales and supply depot, convenience store and a motor vehicle sales, service and supply shop

Proposed Use: the sale of boats, motors and related equipment

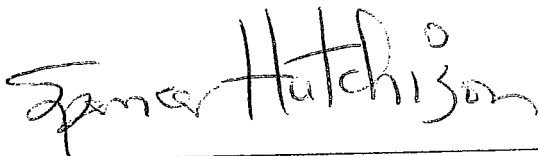
Comments:

1. the Thurlow Zoning By-law defines a marine dealer as a property where boats and marine equipment are sold but does not zone any property to allow this particular use;
2. the current zoning of the subject lands allows for the sale of farm equipment and motor vehicles as well as garden products and second hand items (flea market);
3. some of these permitted uses would require outdoor storage;
4. thus it is felt that the sale of boats from the subject property is in keeping with the type of items that already are permitted to be sold from this property;
5. would the sale of a boat be any different than the sale of a tractor, plough or hay baler;
6. the only issue that arises would be from the impact of the outside storage and display of the boats; this is compounded by the fact the property is 1.75 acres in size;
7. this consideration is contained in the Official Plan policies that pertain to Hamlet lands;
8. the site plan control section of the Planning Act, Section 41, allows the Municipality the power to require "walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining lands" and to also control "off-street vehicular loading and parking facilities, either covered or uncovered, access driveways, including driveways for emergency vehicles, and the surfacing of such areas and driveways";
9. thus if the approval of this application was made conditional on site plan approval, any questions of compatible to nearby residential uses could be addressed;
10. it is felt that the proposed variance would allow for the appropriate development of the subject lands and facilitate the use of the subject property.

Conclusion:

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by Paul Healy to allow for the sale of boats, motors and related equipment from the property at 122 Latta Drive, subject to the following condition:

That any use of the subject lands for the sale of boats, motors and related equipment be subject to site plan approval pursuant to Section 41 of the Planning Act.



Spencer Hutchison
Manager of Approvals

MEMORANDUM

To: Spencer Hutchison
Manager, Approvals Section

From: Jeff Shortt,
Development Technologist

Date: May 23, 2013

Application No. A10/13

Regarding: Committee of Adjustment Variance Application A10/13
122 Latta Drive, Belleville
OWNER: Paul Healy

The Engineering Section has the following comments with respect to the above noted application:

We have no objection to this application.



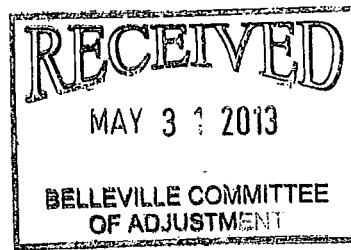
Jeff Shortt C.E.T.

May 27, 2013

APPLICATION NO.

A 10/13

Julie Dean
289 Hoskin Road
Plainfield, ON
K0K 2V0



Dear Sir and/or Madam:

RE: APPLICATION FOR MINOR VARIANCE
122 LATTA DRIVE
OWNER: PAUL HEALY

While I do understand that Mr. Healy has been trying to sell this property for quite some time, and sympathize therein, I can NOT support this request for rezoning which would allow the outside storage and sales of boats, motors and equipment associated with said business. A business of primarily inside activity would be welcomed wholeheartedly, as well as a general clean up and restoration of the property.

As I live directly adjacent to this property, my reasons for opposing this rezoning are as follows;

- A decline in Real Estate values of homes in the area
- Outside storage of any kind would be a further "eyesore" to surrounding property owners
- A possible increase in crime
- Decrease in privacy, disturbance of nature (trees cut down?), people walking around "shopping"
- Increase in traffic within already busy streets (transport trucks unloading equipment), increase in taxes to repair streets
- NO sidewalks are currently present for people and pets, **safety** is already an issue
- Noise disturbance (dogs barking protecting their property, transport trucks, other vehicles)

It is my sincerest wish that all of these reasons are considered when making your decision regarding Mr. Healy's request for this Minor Variance. Attached herein is a partial list of other residents in the area whom oppose this application as well.

Thank you for your consideration in this matter.

Julie Dean

289 Hoskin Road
290 Hoskin Road
323 Hoskin Road
345 Hoskin Road
112 Latta Drive
95 Latta Drive
73 Latta Drive
87 Latta Drive

Julie, Easton and Ryker Dean
Linda and Mike Keegan
Chris and Mike Fisher
Dyson Pauk
Kathie Finn
Linda Szekeres
Teresa and Doug Way
Steve Kowey

Handwritten signatures and notes:
D. P.
Linda + Mike Keegan
Chris + Mike Fisher
C. Doyle
Alley

329 Hoskin Rd, Valerie Bud

359 Hoskin Rd. Sharon Arenault
Gary Arenault

379 Hoskin Rd. PAUL DEWDSEY

448 Hoskin Rd John Hoskin

418 Hoskin Rd S. B. Bell

418 Hoskin Rd. ERAN BUCKLE (E. York District, Ont)

434 Hoskin Rd. Jan Gardner

490 Hoskin Rd Robert Hardy

440 Hoskin Rd Annette Hardy

448 Hoskin Rd Janine McEellan

~~448 Hoskin Rd~~

186-A Randy S Russell

112 Hoskin [Signature]

112B Hoskin Rd B Baigent