

AGENDA
BELLEVILLE COMMITTEE OF ADJUSTMENT
JUNE 18, 2020
3:30 P.M.
COUNCIL CHAMBER
CITY HALL

1. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

2. WELCOME FROM CHAIRMAN & OPENING REMARKS

3. APPLICATIONS AND DECISIONS

- a) Application A 6/20 Application for Minor Variance
 95-97 Cannifton Road
 Owner: Michael Fortis, Hellenic Hospitality
 Corporation

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

Correspondence from the Policy Planner, Development Technologist and Principal Planner and Quinte Conservation are enclosed. Comments from neighbours were received in office and are enclosed.

- b) Application A 7/20 Application for Minor Variance
 144, 146, 148, 150 & 152 Rollins Drive
 Owner: Stan Klemencic Builder Ltd.
 Agent: Mark Klemencic

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

Correspondence from the Policy Planner and Development Technologist are enclosed. No other responses were received.

- c) Application B 10/20 Application for Severance
East of 248 & 242 Elmwood Drive (Right-of-Way)
Owner: John Allison
Agent: Keith Watson, Watson Land
Surveyors

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

Correspondence from the Policy Planner and Development Technologist are enclosed. No other responses were received.

- d) Application B 11/20 & B 12/20 Application for Severance
144 Avondale Road
Owner: Matt Giesebrecht
Agent: Caitlin Sheahan, Ainley Group

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

Correspondence from the Policy Planner and Development Technologist are enclosed. Comments from neighbours were received in office and are enclosed.

4. GENERAL BUSINESS

Confirmation of the Minutes of the regular meeting of the Belleville Committee of Adjustment held on February 20, 2020.

5. CORRESPONDENCE

Guidelines for the Reduction of Parking Requirements for Affordable Rental Housing, dated January 2020.

6. OTHER BUSINESS

- 7. NEXT MEETING:** Thursday July 16, 2020 at 3:30pm

8. ADJOURNMENT

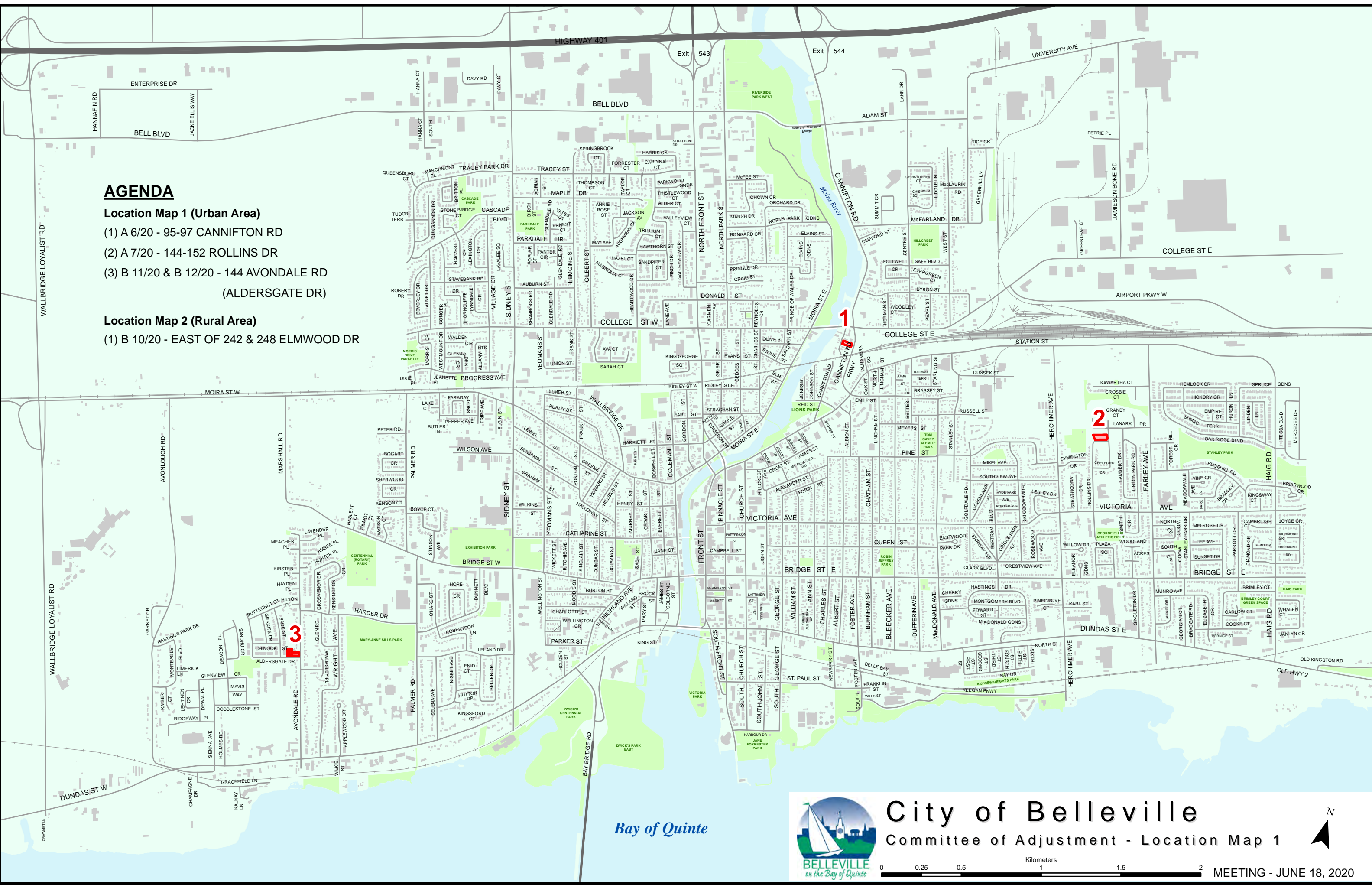
AGENDA

Location Map 1 (Urban Area)

- (1) A 6/20 - 95-97 CANNIFTON RD
- (2) A 7/20 - 144-152 ROLLINS DR
- (3) B 11/20 & B 12/20 - 144 AVONDALE RD
(ALDRSGATE DR)

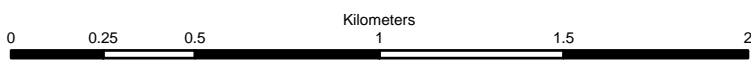
Location Map 2 (Rural Area)

- (1) B 10/20 - EAST OF 242 & 248 ELMWOOD DR



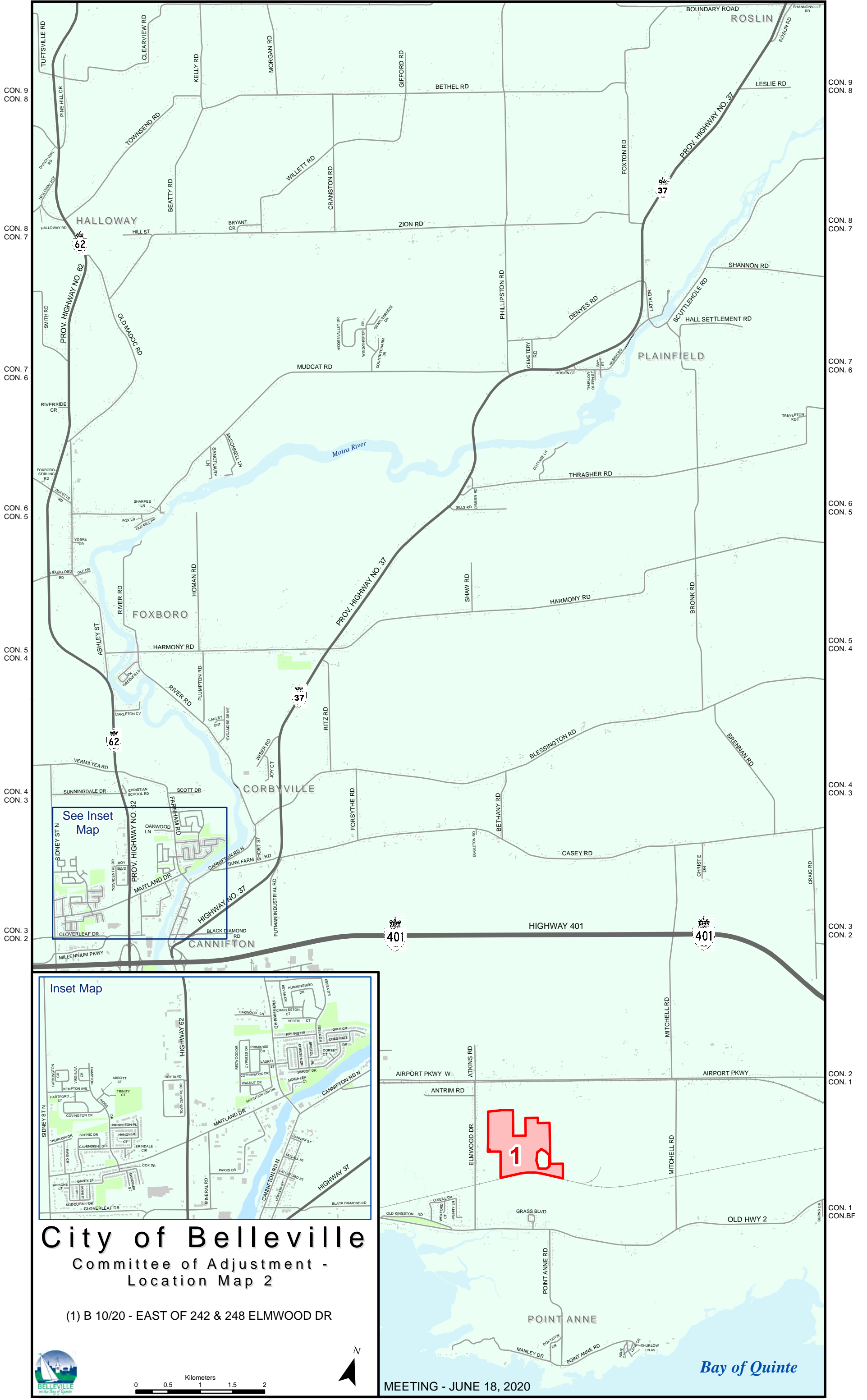
City of Belleville

Committee of Adjustment - Location Map 1

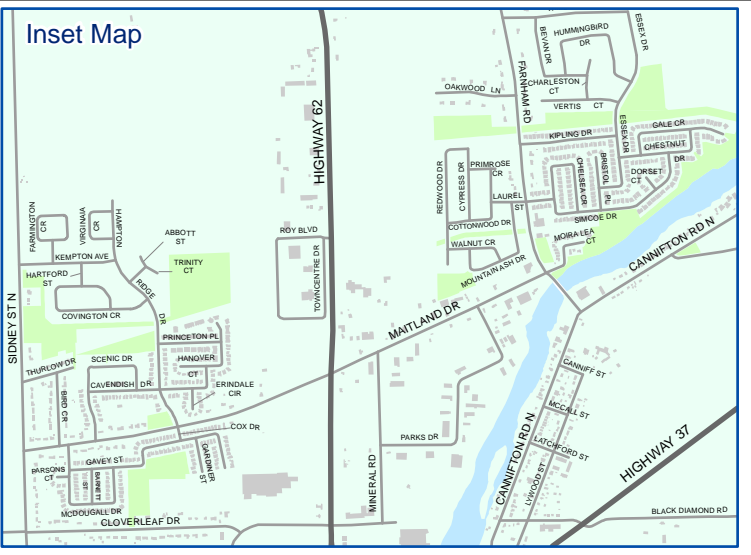


MEETING - JUNE 18, 2020



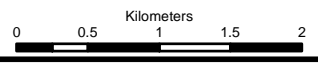


See Inset Map



City of Belleville
 Committee of Adjustment -
 Location Map 2

(1) B 10/20 - EAST OF 242 & 248 ELMWOOD DR



MEETING - JUNE 18, 2020

Bay of Quinte

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

Due to the ongoing COVID-19 situation, the City of Belleville is now conducting all committee meetings virtually. Members of the public will still have the ability to provide input and watch meeting proceedings digitally.

TAKE NOTICE that the City of Belleville Committee of Adjustment will hold a public meeting, as noted above, on **Thursday June 18, 2020 at 3:30 p.m.** to consider an application under Section 45 of the Planning Act, submitted by Michael Fortis, Hellenic Hospitality Corporation.

The subject property is municipally known as 95-97 Cannifton Road and is zoned C2 – General Commercial. The Owner wishes to construct a multi-unit Commercial/Residential building with a maximum height of 12.0 m instead of the current maximum 10.6 m to allow for a peaked roof, and a minimum interior side yard setback of 1.5 m abutting a residential use instead of the required 7.5 m to facilitate a proper driveway. The Owner also seeks relief to permit one accessible residential dwelling unit to be constructed on the ground floor, while current zoning requires all residential units to be located above the ground floor.

A map identifying the property subject to the proposed variance is included with this notice.

How to watch a meeting:

All committee meetings will be streamed live, available on the Belleville City Hall YouTube channel (<https://www.youtube.com/user/BellevilleCityHall>). The video will also be posted online following the meeting in the event you were unable to watch it live at the time it occurred.

How to participate in a meeting:

Written comments (via email or in writing) before a meeting

Residents are encouraged to make written comments or submissions before a meeting to committee by emailing or writing to the undersigned.

Computer/smartphone/tablet

Members of the public will also be able to participate in committee meetings through ZOOM Cloud Meetings. Interested residents can register by emailing ckeays@belleville.ca with their name, phone number, and the agenda item(s) they wish to speak to, or by calling 613-967-3224 and leaving a message with their name, phone number, e-mail address, and the agenda item(s) they wish to speak to. Those who have registered will be provided with the ZOOM meeting information prior to the meeting date. Registration will close at 4 p.m. Tuesday, June 16, 2020.

Telephone

To participate in a meeting via telephone, members of the public must register by calling 613-967-3224 and leaving a message with their name, phone number and the agenda item(s) they wish to speak to; City staff will then contact the member of the public to confirm their participation and provide meeting details. Registration will close at 4 p.m. Tuesday, June 16, 2020.

How to ask a question during the meeting:

Registered members of the public will be able to provide comments and ask questions during committee meetings in the same manner as in-person committee meetings. The Chair of the meeting will open the floor to public comments – any member of the public participating through ZOOM that wishes to speak will need to click the 'Raise Hand' button to request to speak. The raise hand button is on the right hand side of the ZOOM meeting screen under the 'Participants' tab. Any member of the public participating by telephone will be given an opportunity to provide comments and ask questions.

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 by contacting the Approvals Section by telephone, mail or e-mail at the address below, or by visiting: <https://belleville.ca/city-hall/page/current-planning-and-development-applications>

Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to this application using methods explained above, 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 application, you must submit a **written** request to the undersigned.

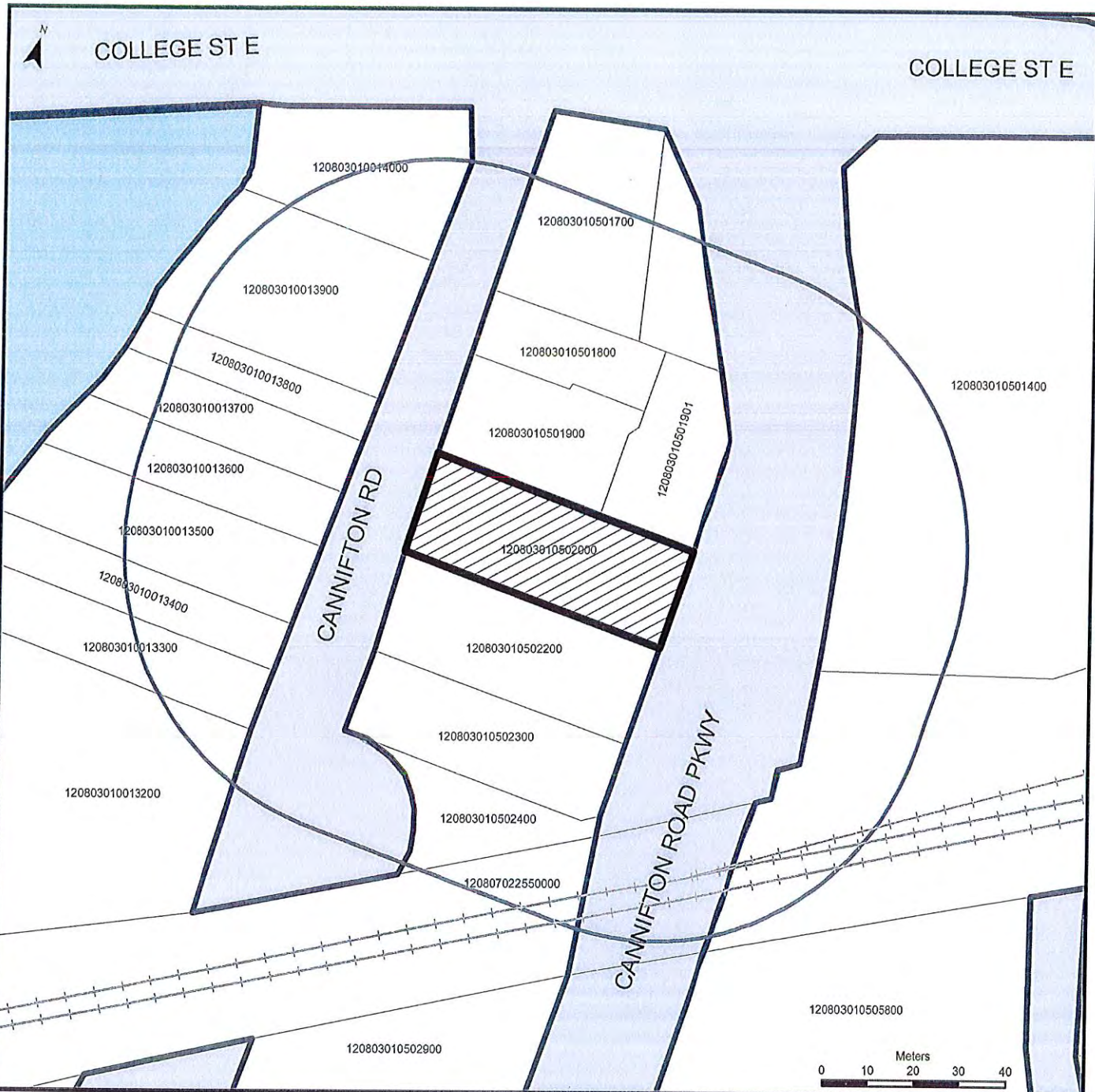
If a person or public body that files an appeal of a decision of the City of Belleville Committee of Adjustment in respect of the proposed consent does not make a written submission to the City of Belleville Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning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

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

Dated this 28th day of May, 2020.



Greg Pinchin
Manager of Approvals
City of Belleville
Committee of Adjustment
169 Front Street
BELLEVILLE, ON
K8N 2Y8
Tel: (613) 967-3224
Email: gpinchin@belleville.ca



APPLICATION NO:

A 6/20

LOCATION: 95-97 CANNIFTON RD



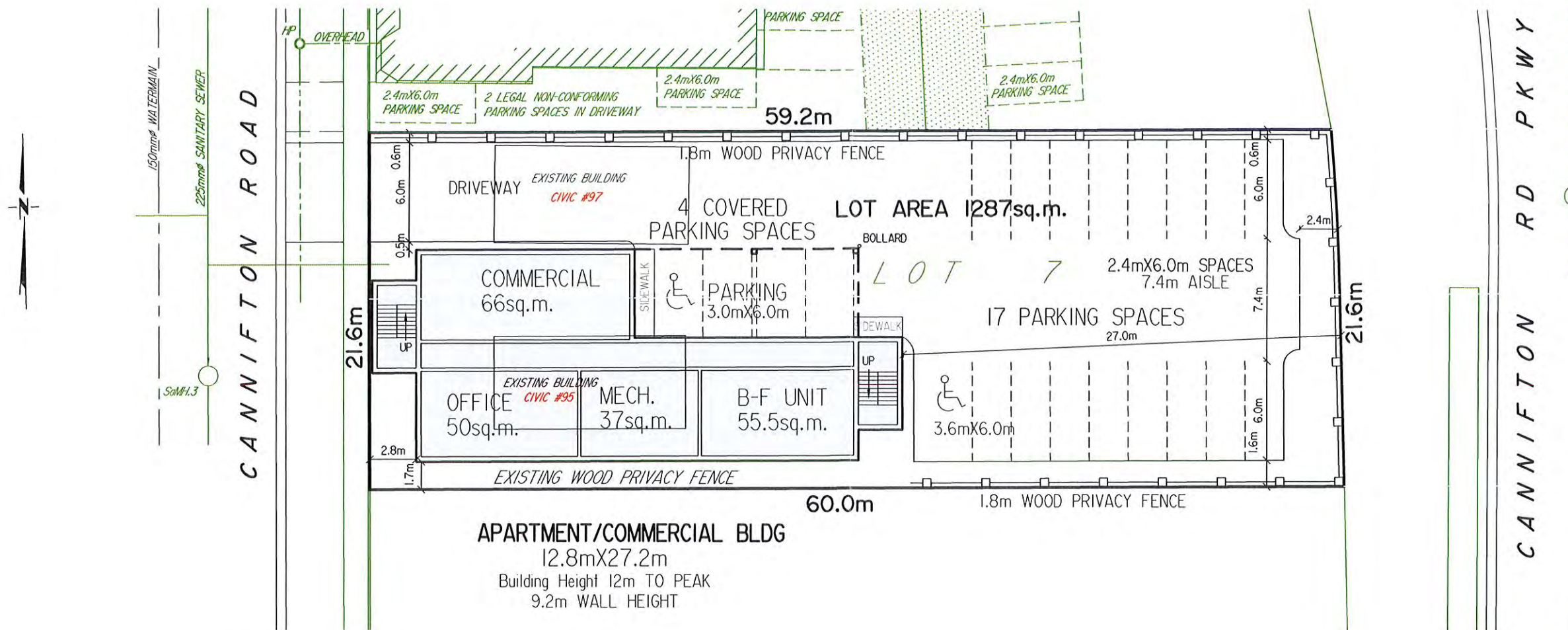
Subject Property



Notification Area



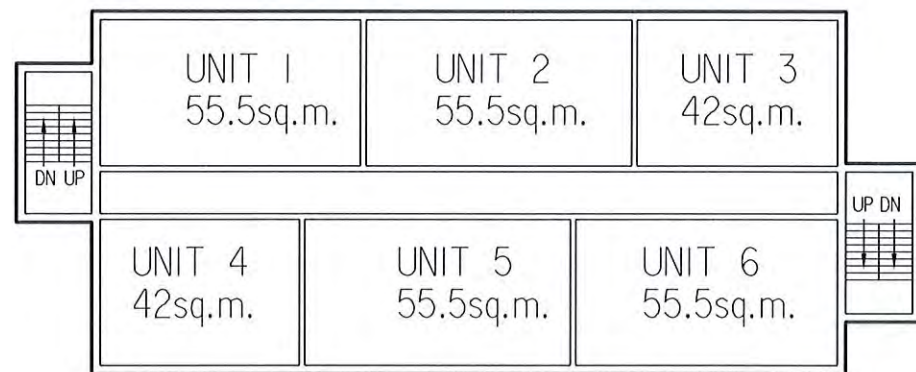
CITY OF BELLEVILLE
 ENGINEERING & DEVELOPMENT
 SERVICES DEPARTMENT



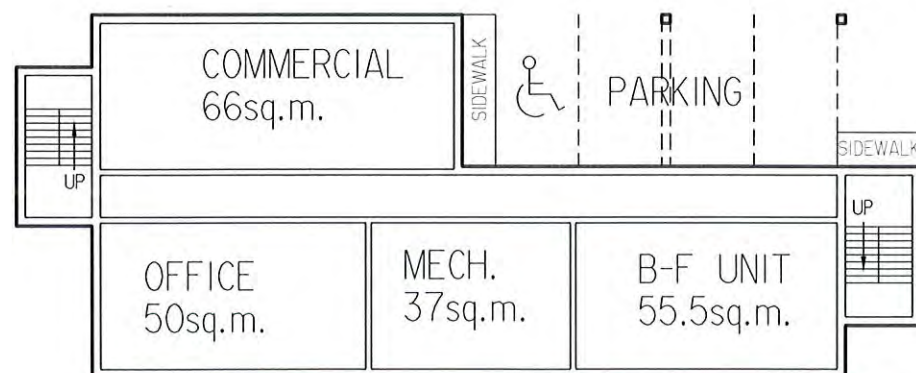
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MAR 18 2020

BELLEVILLE COMMITTEE OF ADJUSTMENT



SECOND & THIRD FLOOR PROPOSAL



GROUND FLOOR PROPOSAL

LEGAL DESCRIPTION

PART OF LOT 7, EAST OF CANNIFTON ROAD
 SLEEPER PLOT (HASTLETT'S PLAN (1870))
 CITY OF BELLEVILLE
 COUNTY OF HASTINGS
 (LOT 7, EAST OF CANNIFTON ROAD HASTLETT'S PLAN SAVE AND EXCEPT
 PARTS 18, 19 20 AND 21, PLAN 21R-3257)

C2 - GENERAL COMMERCIAL ZONE
 GENERAL REQUIREMENTS

	REQUIRED	PROVIDED
FRONT YARD DEPTH	NIL	NIL
REAR YARD DEPTH	NIL	27.0m
INTERIOR SIDE YARD DEPTH	7.5m	1.7m
(NIL WHERE THE SIDE YARD ABUTS RH ZONE or RESIDENTIAL DWELLING IN WHICH CASE 7.5m SHALL BE PROVIDED WITH 1.5m WIDTH BEING A LANDSCAPE STRIP)		
BUILDING HEIGHT	10.6m	12.0m±
GROSS FLOOR AREA PER DWELLING UNIT (MIN.)		
1 BEDROOM	42sq.m.	42sq.m.
2 BEDROOM	55.5sq.m.	55.5sq.m.
OFF STREET PARKING (1.25 SPACE per UNIT)	13/1.25=16.25	17
OFF STREET PARKING (1 SPACE per 28 sq.m.)	110/28=3.9	4



CITY OF BELLEVILLE

Andrew Chan, Policy Planner
Engineering and Development Services Department
Report No. COA-2020-01
June 18, 2020

To: Belleville's Committee of Adjustment

Subject: Application for Minor Variance
95 & 97 Cannifton Road, City of Belleville
OWNER/APPLICANT: Michael Fortis

File: A6/20

Recommendation:

"THAT the requested variance to construct a building with a barrier-free residential dwelling unit as a permitted use in the rear portion of the ground floor, a height of 12.0 metres instead of the maximum of 10.6 metres, and an interior side yard setback of 1.5 metres instead of the minimum of 7.5 metres required when abutting a residential dwelling be **approved.**"

Executive Summary

The subject land located at 95 & 97 Cannifton Road has 1287 square metres in area, has a frontage of 21.6 metres, and is currently has two non-conforming single-detached dwellings. The subject land is designated as Commercial Land Use in the Official Plan and General Commercial (C2) Zone in Zoning By-Law 10245, which both permit commercial uses with residential dwelling units.

The application requests a variance to construct a building with a barrier-free residential dwelling unit as a permitted use in the rear portion of the ground floor, a height of 12.0 metres instead of the maximum of 10.6 metres, and an interior side yard setback of 1.5 metres instead of the minimum of 7.5 metres required when abutting a residential dwelling.

The relief of the proposal accommodates a barrier-free dwelling unit, a peaked roof and driveway. The proposal satisfies the four parts of the test for minor variances as outlined in Section 45(1) of the Planning Act.

Circulation of this application to the public and other departments/agencies has occurred in accordance with the Planning Act.

A written correspondence was submitted on June 9, 2020, which objected to the proposal. They expressed concerns with proposal increasing local traffic.

The proposal is in alignment with the Strategic Plan theme of Residential Development.

Based on information received at the time of writing this report, the Approvals Section of the Engineering and Development Services Department has no objection to the approval of Minor Variance application A6/20.

Background

Location and Site Details

The subject land located at 95 & 97 Cannifton Road has 1287 square metres in area, has a frontage of 21.6 metres, and is currently has two non-conforming single-detached dwellings.

Under the Official Plan, the subject land is designated as Commercial Land Use, which has a range of commercial uses and permits residential uses in concert with commercial development.

Under Zoning By-Law 10245, the subject land is General Commercial (C2) Zone, which has a range of commercial uses and includes residential dwelling units above the ground floor.

Site details for the subject land:

Site Review	Description
Site Location	The subject land is municipally known as 95 & 97 Cannifton Road which is located east of Cannifton Road and south of College Street East
Site Size	1287 square metres
Present Use	Two residential dwellings
Proposed Use	Commercial (2 units) and Residential (13 units)
Belleville Official Plan Designation	Commercial
Present Zone Category	General Commercial (C2) Zone
Land uses to the north	Residential (9 units) and Commercial
Land uses to the east	Tim Hortons
Land uses to the south	Residential (6 units)
Land uses to the west	Residential (12 units)

The supporting documents for this application are available online for public review at www.belleville.ca/DevelopmentApplications.

Proposal

The application requests a variance to construct a building with a barrier-free residential dwelling unit as a permitted use in the rear portion of the ground floor, a height of 12.0 metres instead of the maximum of 10.6 metres, and an interior side yard setback of 1.5 metres instead of the minimum of 7.5 metres required when abutting a residential dwelling.

Discussion

Staff offer the following comments regarding the four tests for minor variances as outlined in Section 45(1) of the Planning Act, R. S. O., 1990 Chap. P. 13, as amended.

Does the proposal maintain the intent of the Official Plan?

The current Official Plan was adopted by City Council on June 18, 2001 and approved by the Ministry of Municipal Affairs and Housing on January 7, 2002. Since 2002, a significant number of new and updated policies and legislation have occurred at the provincial level. The City is currently undertaking a Municipal Comprehensive Review and update to the policies of the Official Plan to ensure they comply with current provincial policies and legislation. The City will have to comply with the province's new legislation, regulations, and policies when updating the Official Plan.

The land is designated "Commercial" in the City's Official Plan. Planning Staff use the policies within the Official Plan to make recommendations.

The following policies regarding the Commercial Land Use were considered:

3.9.1(b) The following design policies should be applied to all commercial development:

- i. The appearance of parking lots, loading facilities and service areas should be enhanced through appropriate landscaping, with appropriate lighting of such areas to ensure public safety, which should be oriented away from nearby residential properties and not interfere with visibility on public streets.
- ii. Loading facilities, parking lots and service areas should be located so as to minimize the effects of noise and fumes on any adjacent residential properties, and where possible, such facilities should be located in a yard that does not immediately abut a residential property, and where they do, measures to

mitigate the impact of such a location by fencing or plantings, berming and buffer strips, or increased setbacks should be employed as required.

3.9.6(c) In general, uses to be permitted within areas designated Commercial land use would include business and professional offices, retail establishments, places of entertainment, assembly halls, restaurants, hotels and motels, personal service uses, automotive uses, community facilities and recreational uses. In some instances, particularly in the vicinity of residential areas, residential uses either as main uses or in concert with commercial development may be appropriate.

The proposal indicates that the parking is to be located and fenced in the rear; the building is positioned to maximize its distance from the adjacent buildings; and the residential uses are working in concert with the commercial use. Hence, it is Staff's opinion that the proposal maintains the general intent of the Official Plan.

Does the proposal maintain the intent of the Zoning By-Law?

The subject land is currently zoned General Commercial (C2) Zone in Zoning By-Law 10245, which permits a range of commercial uses and includes residential dwelling units above the ground floor.

The general intent of this provision is to retain the façades on the ground floor as commercial. This proposal intends to keep the space occupying the façade of the ground floor as commercial uses.

In the C2 Zone, the building height provision has a maximum of 10.6 metres. The applicant requested relief for the height to accommodate a peaked roof.

In the C2 Zone, the interior side yard provision has a minimum of 7.5 metres when abutting a residential use. The applicant requested relief for the interior side yard to accommodate a two-way driveway.

The relief requested has been summarized below:

Provisions	C2 Zone	Proposed
Permitted Uses	Commercial with residential dwelling units above the ground floor	Commercial with residential dwelling units above the ground floor and the rear portion of the ground floor
Maximum Building Height	10.6 metres	12.0 metres

Minimum Interior Side Yard Setback	When abutting residential zones or dwellings, 7.5 metres Otherwise, 0 metres	1.5 metres
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It is Staff's opinion that the proposal maintains the general intent of the Zoning By-Law.

Is the proposal minor?

The relief of the proposal accommodates a barrier-free dwelling unit, a peaked roof and driveway. The proposed variance should not cause any significant impact to the subject property and the surrounding neighbourhood. It is Staff's opinion that the proposal is minor.

Is the proposal desirable?

The property is currently has two single-detached dwellings on the property, which are non-conforming. The proposal is a mixed-use development that is more conforming and is sensitive to adjacent uses. It is Staff's opinion that the proposal is desirable.

Input from Departments/Sources

Circulation of this application to other departments/agencies has occurred.

External Agency Circulation

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Hastings and Prince Edward Health Unit, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Elexicon Energy, Hydro One, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines, MPAC, the Health Unit, and Quinte Conservation.

Quinte Conservation has provided correspondence that they have no objections to the application

At the time of writing this report, 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 General Manager of Transportation & Operations Department, General Manager of Environmental Services, the Director of Recreation, Culture and Community Services, the Manager of Parks & Open Spaces, the Chief Administrative Officer, the Manager of

Economic & Strategic Initiatives, the City Clerk, the Chief Building Official, the Principal Planner of Policy Planning, and the Accessibility Co-ordinator.

Belleville Transportation & Operations Department, Policy Planning Department, and Development Technologist have provided correspondence that they have no objections to the application.

At the time of writing this report, no other comments or concerns have been received regarding this application.

Considerations

Communication and Public Engagement

On May 28, 2020, a written notice and location map was mailed by first class mail to all registered owners of land within 60 metres of the subject property. The notice provided information that a public meeting was scheduled for June 18, 2020.

Similarly, a sign was placed on the subject land notifying the general public that a public meeting was scheduled for June 18, 2020.

A written correspondence was submitted on June 8, 2020, which objected to the proposal. They expressed concerns with the height of three storeys and reducing the minimum interior side yard from 7.5 metres to 1.5 metres.

The current zoning on the property has a maximum building height of 10.6 metres, in which a three-storey building is possible. The relief of an additional 1.4 metres of building height accommodates a peaked roof.

Any development on this property would be subject to the interior side yard requirement of 7.5 metres since both adjacent properties have residential dwelling units. Given that the width of the subject land is 21.6 metres, any new building would have a maximum width of 6.6 metres.

A written correspondence was submitted on June 9, 2020, which objected to the proposal. They expressed concerns with proposal increasing local traffic.

A written correspondence was submitted on June 10, 2020, which objected to the proposal. They expressed concerns with proposal increasing local traffic in the Cannifton Road and College Street East intersection.

At the time of writing this report, no other correspondence from the public has been received by the City regarding this application.

Circulation to the public complies with the requirements of the Planning Act, R.S.O. 1990.

Financial Considerations

The fees of the application have been received by the City.

Strategic Plan Alignment

The City of Belleville's Strategic Plan identifies nine strategic themes. The recommendation within this report aligns with one of the City's strategic themes. The strategic theme "Residential Development" and the City's strategic objective to "Plan for residential growth to meet our needs for 20 years and designate sufficient land in our planning documents to accommodate residential growth for 10 years". The approval of the above-noted variance will permit the development of a mixed use building with residential dwelling units.

Conclusion

Based on information received at the time of writing this report, the Approvals Section of the Engineering and Development Services Department has no objection to the approval of Minor Variance application A6/20.

Respectfully submitted,



Andrew Chan, BES
Policy Planner, Policy Planning
Engineering and Development Services Department

MEMORANDUM

To: Greg Pinchin
Manager, Approvals Section

From: Jason Pettit
Development Technologist

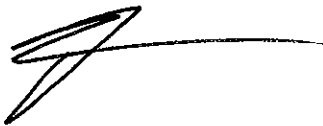
Date: April 6, 2020

Application No. A6/20

Regarding: Committee of Adjustment Application for Consent A6/20
95-97 Cannifton Road, Belleville
OWNER: Michael Fortis

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

We have no objection to this application, however, the applicant will be required to develop this site in accordance with a site plan agreement.



Jason Pettit

Keays, Christina

Subject: FW: CoA Comments

From: Deming, Thomas
Sent: Monday, April 06, 2020 12:50 PM
To: Pinchin, Greg
Cc: Keays, Christina
Subject: CoA Comments

Hi Greg,

Please find my comments below regarding the next Committee of Adjustment meeting.

A6/20 – Official Plan supports mixed use development. Existing use is non-conforming. No issue with this proposal.

Thomas Deming

Principal Planner
Engineering and Development Services Department
City of Belleville
City Hall, 169 Front Street Belleville, Ontario K8N 2Y8
343-645-6201

NOTE: Regarding COVID -19 and impact on Policy Planning Section delivery of services:

Please note that at this time the City of Belleville Policy Planning Section is continuing to provide services to our clientele however several of our typical methods of doing business have been modified. We have taken several steps to protect the health and safety of the public, vendors and our staff, and to help stop local transmission of the COVID-19 virus. City Hall and our offices are currently closed to the public and many staff are working remotely. Although staff are working remotely, they have been given the tools needed to continue to communicate and meet with you virtually. Contact information for all staff remains unchanged. Please feel free to contact us directly via phone or email if you have any questions during this evolving time.

QUINTE CONSERVATION - PLANNING ACT REVIEW

QC File No. PL0074-2020

Municipality:	City of Belleville		
Owner	Michael Fortis		
Location:	95-97 Cannifton Road	Lot 6, Concession 1	Thurlow
Roll #:	12080301050200000000		
Application Description:	Minor Variance File No. A6/20	Relief from the building height and side yard setback	
Feature:	Not applicable		
Comments:	<p><u>Planning Act - Natural Hazard policies of the Provincial Policy Statement and Quinte Conservation Planning Act Review policy</u> Conservation Authorities have Provincially delegated responsibilities to represent Provincial interests regarding natural hazards under section 3.1 of the Provincial Policy Statement (PPS) (2020). Natural hazards include areas subject to flooding, prone to erosion, dynamic beaches and unstable bedrock. Generally the policies of the PPS direct development to areas outside of hazards lands. <u>Staff are satisfied that the application as presented is consistent with section 3.1 of the PPS as there is sufficient area for development outside the flood hazard.</u></p> <p><u>Ontario Regulation #319/09 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)</u> The subject lands do not lie within an area that is regulated by Quinte Conservation. The owners will not require a permit prior to development (construction/ filling/ excavation/ site grading) from this office.</p> <p><u>Quinte Region Source Protection Plan</u> Quinte Conservation provides Risk Management services as prescribed by the <i>Clean Water Act</i>, 2006 on behalf of member municipalities. Part of this is reviewing building and planning applications to ensure no new significant drinking water threats as outlined in the Quinte Region Source Protection Plan are created. Policies for significant threats in the Quinte Region Source Protection Plan are <u>not applicable</u> as the subject property lies outside of an intake protection zone or wellhead protection area for a municipal drinking water system. <u>As such no Section 59 Clearance Notice is required.</u></p> <p><u>Planning Act - Natural Heritage policies of the Provincial Policy Statement</u> Section 2.1 of the Natural Heritage policies of the Provincial Policy Statement protects features including (but not limited to); Provincially Significant Wetlands, significant woodlands and significant Areas of Natural and Scientific Interest. The subject lands do not lie within a Provincially Significant Wetland, or within an Area of Natural and Scientific Interest.</p>		
Final Comments:	Quinte Conservation has no objection to the application as presented.		



Elizabeth Lowe
Planning and Regulations Technician

March 31, 2020

Date



Sharlene Richardson
Regulations Officer

Dear sir,

it has come to my attention that the owner of the property located 95-97 Cannifton Rd is planning to construct a multipurpose apartment complex . I am opposed to the construction of this complex as it will lead to parking congestion on that part of Cannifton Rd and cause inconvenience to local residents and businesses in the neighborhood. It will also cause difficulties for pedestrians passing from College street to Station street.

Yours sincerely Peter Morris.

(via Email)

Keays, Christina

From: Pinchin, Greg
Sent: Monday, June 08, 2020 8:44 AM
To: Keays, Christina
Subject: FW: About file A 6/20

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Christina, for the file please.
Thanks,
Greg.

From: Kourtney Rushlow [REDACTED]
Sent: Sunday, June 07, 2020 4:20 PM
To: Pinchin, Greg
Subject: About file A 6/20

CAUTION: This email is NOT from the city of Belleville. Do NOT click links or open attachments unless you recognize the sender and know the content is safe!

To who this may concern:

Hello good evening, I hope you are well, I am writing to share my concerns about the new building that is being placed on Cannifton rd, I live at 98A Cannifton rd and my concerns are the cars being parked on the side of the road blocking my driveway and parking outfront of my house as if my family and or friends come to visit there wouldnt be enough room as my driveway there would be no room because i have two vehicles myself, and there would be no parking for my visitors. I also have 4 children that ride on their bikes outfront as well and with all the cars being on the side of the road and going through this would be putting my children and others in danger as they wouldnt be able to enjoy their time out there and would always have to worry more about them getting hit. I dont think this would be a good idea because this neighbourhood has a bunch of children that like to ride their bikes and scooters outfront on nice days and with all these cars/traffic they would loose this enjoyment because some of our backyards you cant ride bikes/scooters in and some of us dont have a proper backyard.

Thank you for your time and hope you have a good evening.

Thanks
Courtney Rushlow and Alex Arbuckle

June 8, 2020

Manager of Approvals

In regards to File # A6/20

We totally oppose the change to the C 2 zoning.

The propose setback from 1.5 meters to 7.5 meters would be granting them 360 square meters or 4000 square feet more land to build and oversized building at no cost to them.

We are directly affected by such a drastic change right along our property lines. A 40 foot high 3 storey apt. building 1.5 meters between us is very objectional.

I wish to be notified of the decision.



Luella Parkhurst

RECEIVED

JUN 10 2020

BELLEVILLE COMMITTEE
OF ADJUSTMENT

June 8, 2020

Manager of Approvals

In regards to File # A6/20

I oppose the zone change from C-2 zoning.

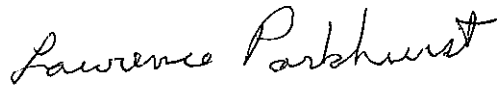
Where Cannifton Rd ends at College St. is basically a 5 corner junction. To exit Cannifton Rd to the left there is 2 immediate lanes of traffic to cross. Then there is 2 more lanes on the far side of the road to cross. There is also 1 more merging lane to avoid. There are no signs or traffic lights to assist.

This is a very dangerous intersection.

To add more traffic from a large apartment building would only increase the hazards and safety of this junction.

I wish to be notified of the decision.

Lawrence Parkhurst



RECEIVED

JUN 10 2020

BELLEVILLE COMMITTEE
OF ADJUSTMENT

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

Due to the ongoing COVID-19 situation, the City of Belleville is now conducting all committee meetings virtually. Members of the public will still have the ability to provide input and watch meeting proceedings digitally.

TAKE NOTICE that the City of Belleville Committee of Adjustment will hold a public meeting, as noted above, on **Thursday June 18, 2020 at 3:30 p.m.** to consider an application under Section 45 of the Planning Act, submitted by Mark Klemencic.

The subject properties are municipally known as 144, 146, 148, 150 & 152 Rollins Drive and are zoned R2 – Residential Second Density. The Owner wishes to develop the lots for single detached dwellings with minimum front yard setbacks of 6.0 m instead of the required 7.5 m, and maximum lot coverage for the main building of 38% instead of the current maximum 35%. The proposed relief would match the special provisions of the abutting R2-26 zone to the north.

A map identifying the lots subject to the proposed variance is included with this notice.

How to watch a meeting:

All committee meetings will be streamed live, available on the Belleville City Hall YouTube channel (<https://www.youtube.com/user/BellevilleCityHall>). The video will also be posted online following the meeting in the event you were unable to watch it live at the time it occurred.

How to participate in a meeting:

Written comments (via email or in writing) before a meeting

Residents are encouraged to make written comments or submissions before a meeting to committee by emailing or writing to the undersigned.

Computer/smartphone/tablet

Members of the public will also be able to participate in committee meetings through ZOOM Cloud Meetings. Interested residents can register by emailing ckeays@belleville.ca with their name, phone number, and the agenda item(s) they wish to speak to, or by calling 613-967-3224 and leaving a message with their name, phone number, e-mail address, and the agenda item(s) they wish to speak to. Those who have registered will be provided with the ZOOM meeting information prior to the meeting date. Registration will close at 4 p.m. Tuesday, June 16, 2020.

Telephone

To participate in a meeting via telephone, members of the public must register by calling 613-967-3224 and leaving a message with their name, phone number and the agenda item(s) they wish to speak to; City staff will then contact the member of the public to confirm their participation and provide meeting details. Registration will close at 4 p.m. Tuesday, June 16, 2020.

How to ask a question during the meeting:

Registered members of the public will be able to provide comments and ask questions during committee meetings in the same manner as in-person committee meetings. The Chair of the meeting will open the floor to public comments – any member of the public participating through ZOOM that wishes to speak will need to click the 'Raise Hand' button to request to speak. The raise hand button is on the right hand side of the ZOOM meeting screen under the 'Participants' tab. Any member of the public participating by telephone will be given an opportunity to provide comments and ask questions.

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 by contacting the Approvals Section by telephone, mail or e-mail at the address below, or by visiting: <https://belleville.ca/city-hall/page/current-planning-and-development-applications>

Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to this application using methods explained above, 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 application, you must submit a **written** request to the undersigned.

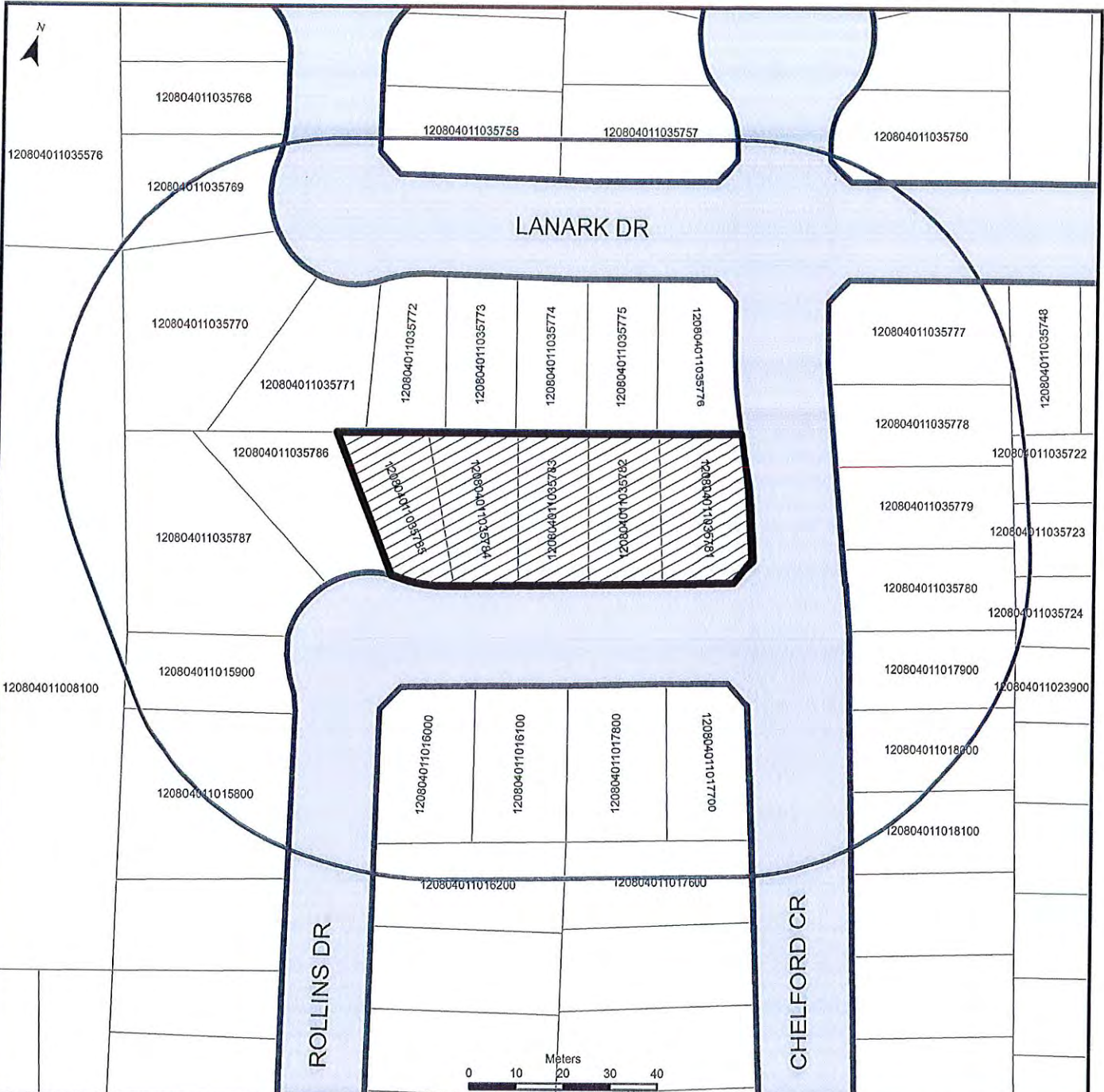
If a person or public body that files an appeal of a decision of the City of Belleville Committee of Adjustment in respect of the proposed consent does not make a written submission to the City of Belleville Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning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

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

Dated this 28th day of May, 2020.



Greg Pinchin
Manager of Approvals
City of Belleville
Committee of Adjustment
169 Front Street
BELLEVILLE, ON
K8N 2Y8
Tel: (613) 967-3224
Email: gpinchin@belleville.ca



APPLICATION NO:

A 7/20

LOCATION: ROLLINS DR
21M-296 LOTS 34-38



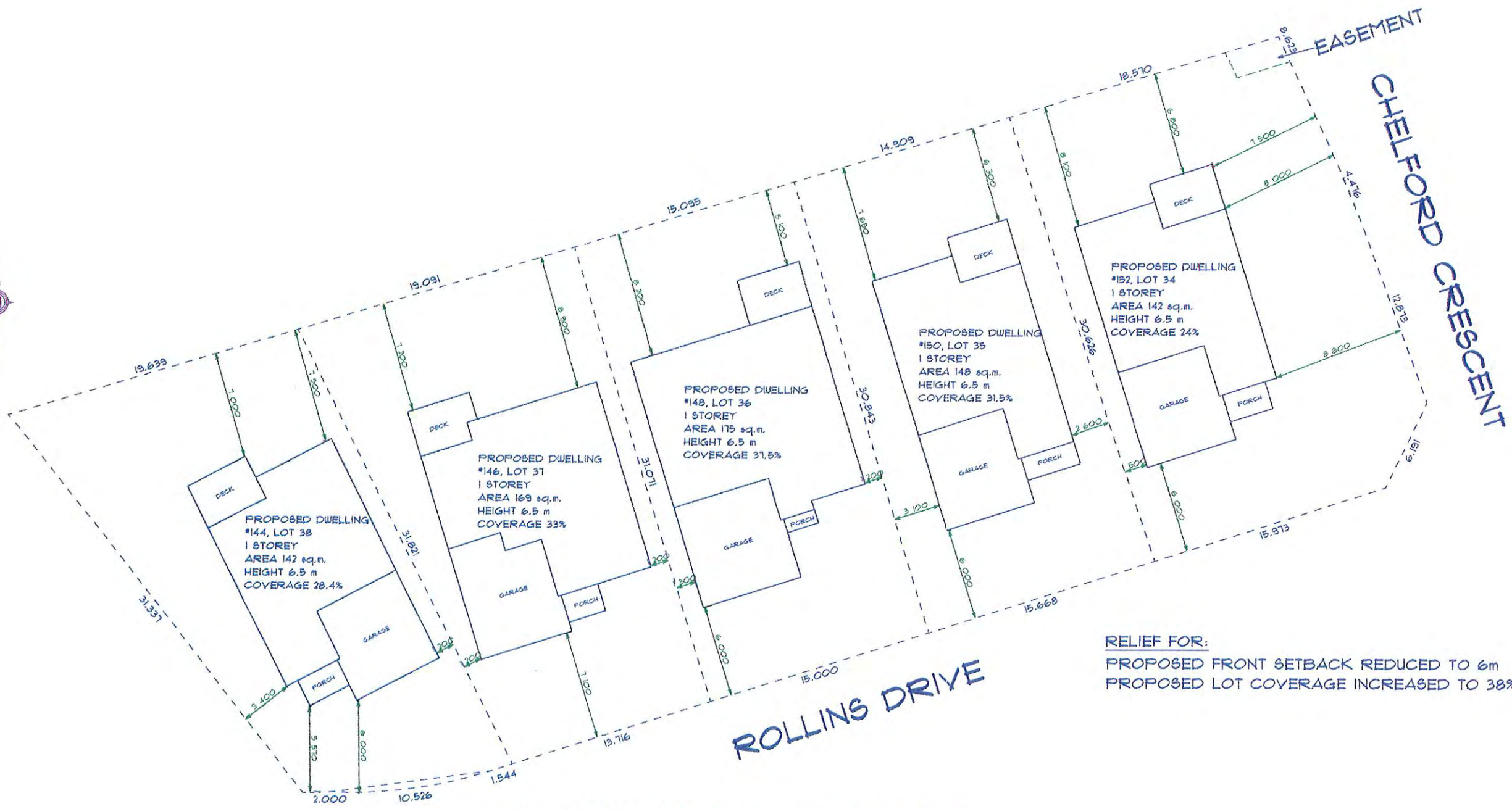
Subject Property



Notification Area



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT



RELIEF FOR:
 PROPOSED FRONT SETBACK REDUCED TO 6m
 PROPOSED LOT COVERAGE INCREASED TO 38%

LOT LAYOUT SKETCH FOR MINOR VARIANCE APPLICATION
 SCALE: 1:300m



CITY OF BELLEVILLE

Andrew Chan, Policy Planner
Engineering and Development Services Department
Report No. COA-2020-02
June 18, 2020

To: Belleville's Committee of Adjustment

Subject: Application for Minor Variance
144, 146, 148, 150, & 152 Rollins Drive, City of Belleville
OWNER: Stan Klemencic Builders
APPLICANT: Mark Klemencic

File: A7/20

Recommendation:

"THAT the requested variance to construct a single-detached dwelling on each lot with a front yard setback of 6.0 metres instead of the minimum of 7.5 metres and lot coverage of 38% instead of the maximum of 35% be **approved.**"

Executive Summary

The subject land located at 144, 146, 148, 150, & 152 Rollins Drive each ranging from 10 to 20 metres of frontage, ranging from 465 to 600 square metres in lot area, and proposed for single-detached dwellings. The applicant has provided a sketch of the proposed dwellings. The subject land is designated as Residential Land Use in the Official Plan and Residential Second Density (R2) Zone in Zoning By-Law 10245, which both permit residential dwellings.

The application requests a variance to construct a single-detached dwelling on each lot with a front yard setback of 6.0 metres instead of the minimum of 7.5 metres and lot coverage of 38% instead of the maximum of 35%.

To conform with the subdivision under construction to the north, the relief increases the maximum lot coverage by 3% and reduces the minimum front yard setback by 1.5 metres. The proposal satisfies the four parts of the test for minor variances as outlined in Section 45(1) of the Planning Act.

Circulation of this application to the public and other departments/agencies has occurred in accordance with the Planning Act.

The proposal is in alignment with the Strategic Plan theme of Residential Development.

Based on information received at the time of writing this report, the Approvals Section of the Engineering and Development Services Department has no objection to the approval of Minor Variance application A7/20.

Background

Location and Site Details

The subject land located at 144, 146, 148, 150, & 152 Rollins Drive each ranging from 10 to 20 metres of frontage, ranging from 465 to 600 square metres in lot area, and proposed for single-detached dwellings. The applicant has provided a sketch of the proposed dwellings.

Under the Official Plan, the subject land is designated as Residential Land Use, which has a range of residential uses.

Under Zoning By-Law 10245, the subject land is Residential Second Density (R2) Zone, which includes single-detached dwelling as a permitted use.

Site details for the subject land:

Site Review	Description
Site Location	The subject land is municipally known as 144, 146, 148, 150, & 152 Rollins Drive which is located north of Rollins Drive and east of Chelford Crescent
Site Size	~465 to ~600 square metres
Present Use	Vacant
Proposed Use	Each having a single-detached dwelling
Belleville Official Plan Designation	Residential
Present Zone Category	Residential Second Density (R2) Zone
Land uses to the north	Residential
Land uses to the east	Residential
Land uses to the south	Residential
Land uses to the west	Residential

The supporting documents for this application are available online for public review at www.belleville.ca/DevelopmentApplications.

Proposal

The application requests a variance to construct a single-detached dwelling on each lot with a front yard setback of 6.0 metres instead of the minimum of 7.5 metres and lot coverage of 38% instead of the maximum of 35%.

Discussion

Staff offer the following comments regarding the four tests for minor variances as outlined in Section 45(1) of the Planning Act, R. S. O., 1990 Chap. P. 13, as amended.

Does the proposal maintain the intent of the Official Plan?

The current Official Plan was adopted by City Council on June 18, 2001 and approved by the Ministry of Municipal Affairs and Housing on January 7, 2002. Since 2002, a significant number of new and updated policies and legislation have occurred at the provincial level. The City is currently undertaking a Municipal Comprehensive Review and update to the policies of the Official Plan to ensure they comply with current provincial policies and legislation. The City will have to comply with the province's new legislation, regulations, and policies when updating the Official Plan.

The land is designated "Residential" in the City's Official Plan. Planning Staff use the policies within the Official Plan to make recommendations.

The following policies regarding the Residential Land Use were considered:

- The type and arrangement of dwellings and densities are important to the character of the City and specific residential neighbourhoods. Ideally all neighbourhoods should contain a mixture of dwelling types at different densities, but in some cases this is not possible nor is it desirable; some neighbourhoods therefore may consist predominantly of one form of housing whereas other neighbourhoods would have greater variety. Care should be exercised however to not create areas of excessively high densities without ample supply of municipal services and community facilities to meet the needs of such a neighbourhood.
- The conservation and rehabilitation of existing housing stock is encouraged by this Plan in order to maintain the supply of older housing and to preserve the character of existing neighbourhoods. Infill housing should be encouraged in existing neighbourhoods to maximize land utilization and efficiency of municipal infrastructure, provided such development does not detract from the character of the neighbourhood. In some instances, conversion of larger existing

residential dwellings into multiple use is warranted provided sufficient parking can be provided and the character of the existing dwelling is not significantly altered.

The proposal indicates a low-density form, which is permitted and sensitive to the local context. It is Staff's opinion that the proposal maintains the general intent of the Official Plan.

Does the proposal maintain the intent of the Zoning By-Law?

The subject land is currently zoned Residential Second Density (R2) Zone in Zoning By-Law 10245, which permits a single-detached dwelling.

In the R2 Zone, the front yard setback provision has a minimum of 7.5 metres and lot coverage provision has a maximum of 35%. The applicant requested relief from these provisions to conform with the remainder of the subdivision under construction to the north.

The relief requested has been summarized below:

Provisions	R2 Zone	Proposed
Minimum Front Yard Setback	7.5 metres	6.0 metres
Maximum Lot Coverage	35%	38%

It is Staff's opinion that the proposal maintains the general intent of the Zoning By-Law.

Is the proposal minor?

The relief increases the maximum lot coverage by 3% and reduces the minimum front yard setback by 1.5 metres. The proposed variance should not cause any significant impact to the subject property and the surrounding neighbourhood. It is Staff's opinion that the proposal is minor.

Is the proposal desirable?

The proposed relief is consistent and compliments the subdivision under construction to the north. The requested variance is appropriate. It is Staff's opinion that the proposal is desirable.

Input from Departments/Sources

Circulation of this application to other departments/agencies has occurred.

External Agency Circulation

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Hastings and Prince Edward Health Unit, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Elexicon Energy, Hydro One, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines, MPAC, the Health Unit, and Quinte Conservation.

At the time of writing this report, no 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 General Manager of Transportation & Operations Department, General Manager of Environmental Services, the Director of Recreation, Culture and Community Services, the Manager of Parks & Open Spaces, the Chief Administrative Officer, the Manager of Economic & Strategic Initiatives, the City Clerk, the Chief Building Official, the Principal Planner of Policy Planning, and the Accessibility Co-ordinator.

Belleville Transportation & Operations Department, Policy Planning Department, and Development Technologist have provided correspondence that they have no objections to the application.

At the time of writing this report, no other comments or concerns have been received regarding this application.

Considerations

Communication and Public Engagement

On May 28, 2020, a written notice and location map was mailed by first class mail to all registered owners of land within 60 metres of the subject property. The notice provided information that a public meeting was scheduled for June 18, 2020.

Similarly, a sign was placed on the subject land notifying the general public that a public meeting was scheduled for June 18, 2020.

At the time of writing this report, no correspondence from the public has been received by the City regarding this application.

Circulation to the public complies with the requirements of the Planning Act, R.S.O. 1990.

Financial Considerations

The fees of the application have been received by the City.


Strategic Plan Alignment

The City of Belleville's Strategic Plan identifies nine strategic themes. The recommendation within this report aligns with one of the City's strategic themes. The strategic theme "Residential Development" and the City's strategic objective to "Plan for residential growth to meet our needs for 20 years and designate sufficient land in our planning documents to accommodate residential growth for 10 years". The approval of the above-noted variance will facilitate the development of five (5) single-detached dwellings.

Conclusion

Based on information received at the time of writing this report, the Approvals Section of the Engineering and Development Services Department has no objection to the approval of Minor Variance application A7/20.

Respectfully submitted,



Andrew Chan, BES
Policy Planner, Policy Planning
Engineering and Development Services Department

MEMORANDUM

To: Greg Pinchin
Manager, Approvals Section

From: Jason Pettit
Development Technologist

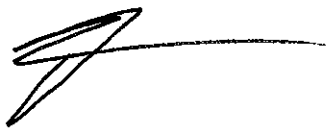
Date: June 9, 2020

Application No. A7/20

Regarding: Committee of Adjustment Application for Consent A7/20
144, 146, 148, 150 & 152 Rollins Drive Belleville
OWNER: Stan Klemencic Builder Ltd.
AGENT: Mark Klemencic

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

We have no objection to this application.



Jason Pettit

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

Due to the ongoing COVID-19 situation, the City of Belleville is now conducting all committee meetings virtually. Members of the public will still have the ability to provide input and watch meeting proceedings digitally.

TAKE NOTICE that the City of Belleville Committee of Adjustment will hold a public meeting, as noted above, on **Thursday June 18, 2020 at 3:30 p.m.** to consider an application under Section 53 of the Planning Act, submitted by Keith Watson, Watson Land Surveyors on behalf of John Allison.

The subject property is municipally known as lands East of 248 & 242 Elmwood Drive, Part of Lots 18, 19 and 20, Concession 1, Thurlow, and is presently zoned RU – Rural. The applicant wishes to create a right-of-way approximately 28 by 28 metres square over the property in favour of a benefitting parcel to the south on Part of Lot 18, so as to provide access to that parcel from an existing right-of-way.

A sketch of the proposed consent is included with this notice.

How to watch a meeting:

All committee meetings will be streamed live, available on the Belleville City Hall YouTube channel (<https://www.youtube.com/user/BellevilleCityHall>). The video will also be posted online following the meeting in the event you were unable to watch it live at the time it occurred.

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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 by contacting the Approvals Section by telephone, mail or e-mail at the address below, or by visiting: <https://belleville.ca/city-hall/page/current-planning-and-development-applications>

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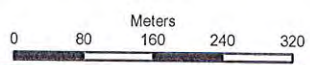
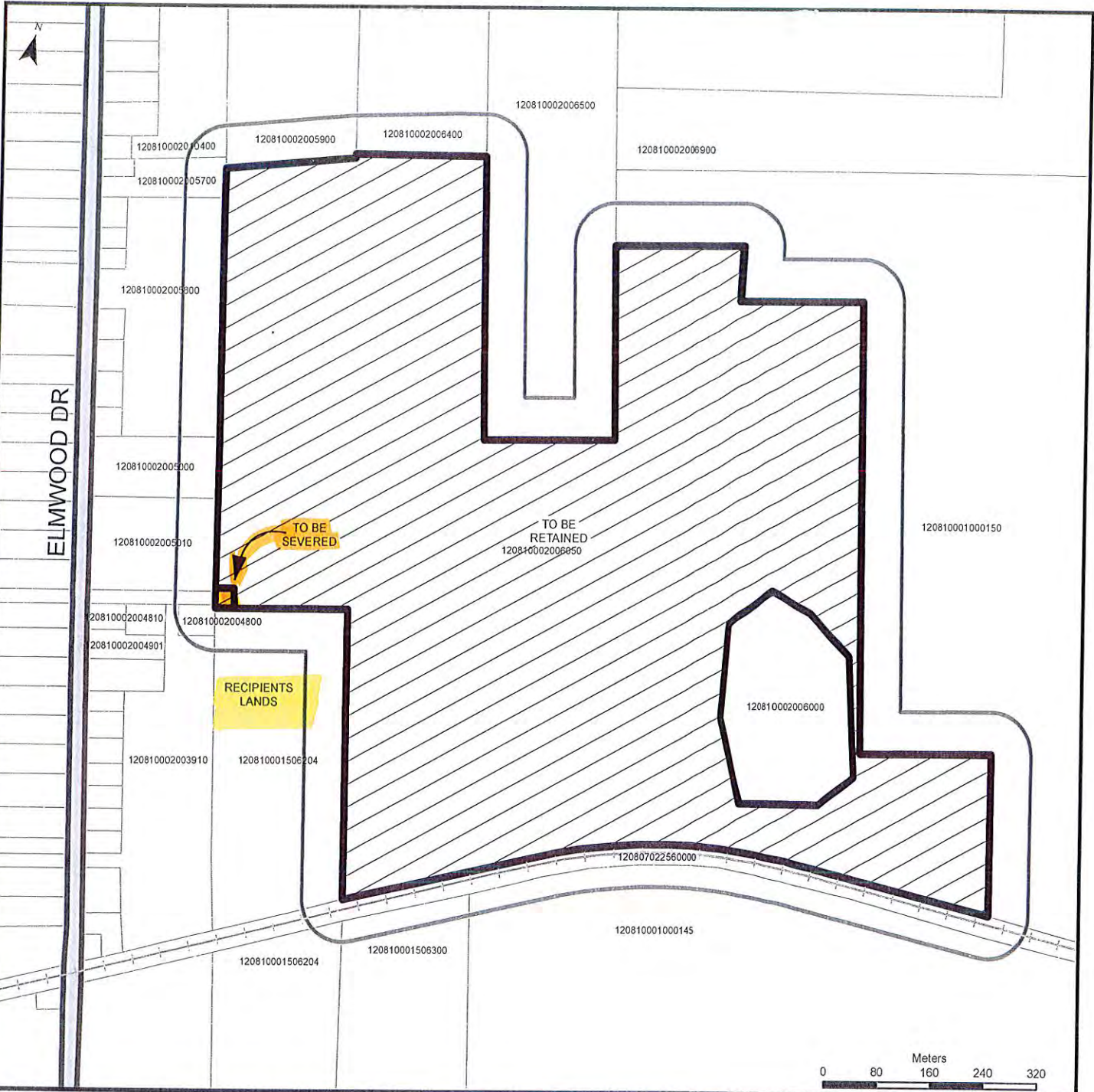
If a person or public body that files an appeal of a decision of the City of Belleville Committee of Adjustment in respect of the proposed consent does not make a written submission to the City of Belleville Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning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

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

Dated this 28th day of May, 2020.



Greg Pinchin
Manager of Approvals
City of Belleville
Committee of Adjustment
169 Front Street
BELLEVILLE, ON
K8N 2Y8
Tel: (613) 967-3224
Email: gpinchin@city.belleville.on.ca



APPLICATION NO:

B 10/20

LOCATION: EAST OF 242-248 ELMWOOD DR



Subject Property



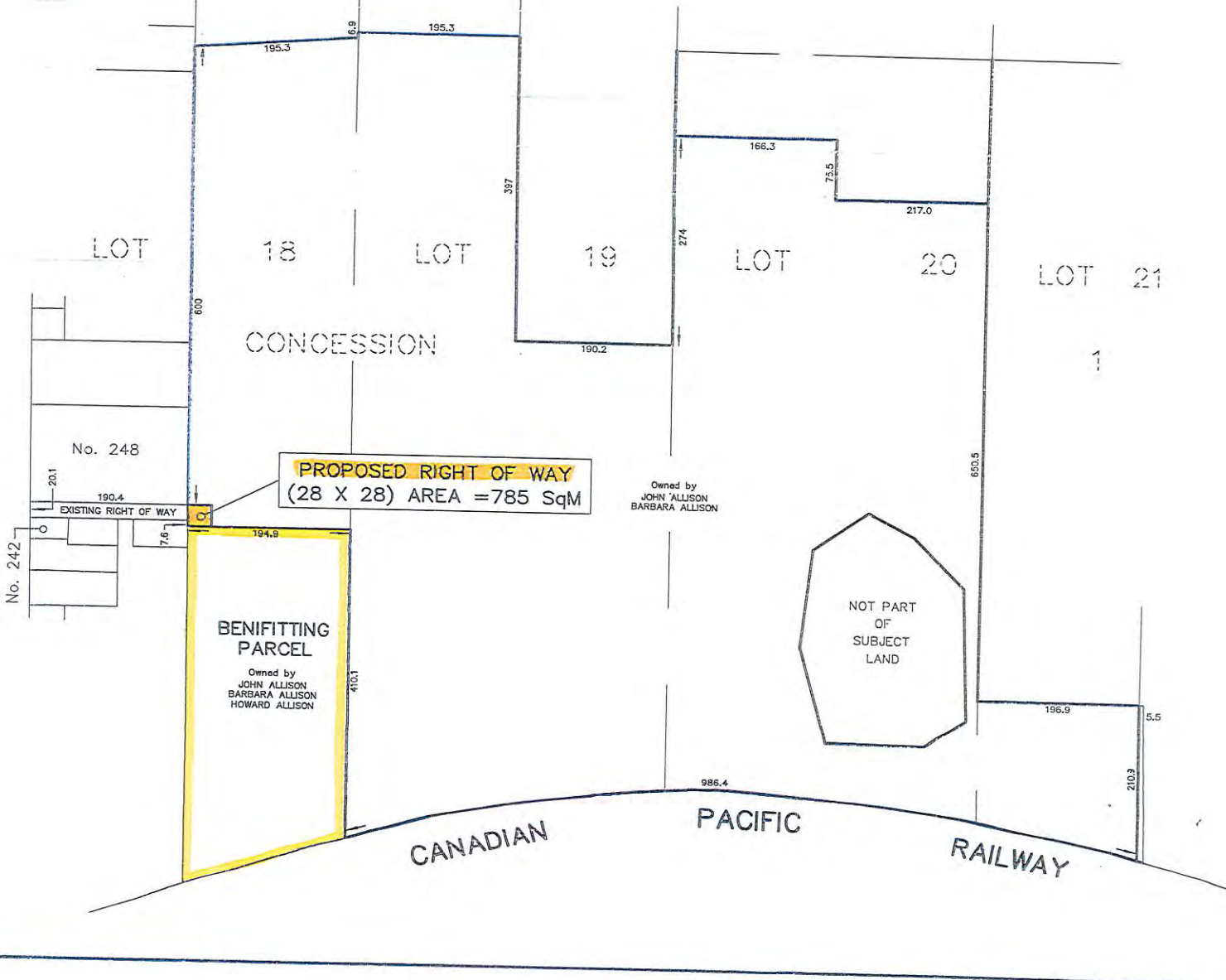
Notification Area



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT

SKETCH
 PART OF LOTS 18, 19, 20, 21
 CONCESSION 1
 TOWNSHIP OF THURLOW
 NOW IN THE CITY OF BELLEVILLE
 COUNTY OF HASTINGS
 METRIC SCALE 1 : 5000

ELMWOOD DRIVE



RECEIVED
 JAN 30 2020
 BELLEVILLE COMMITTEE
 OF ADJUSTMENT

WATSON
 LAND SURVEYORS Ltd.
 218 CHURCH STREET
 BELLEVILLE, ONTARIO
 K8N - 3C3
 (613) 962 - 9521

PROJECT No 11774-A-19
 JANUARY 23, 2020

EAST OF ELMWOOD DR



NOTES:



ONTARIO LAND SURVEYORS
Keith Watson, BES., O.L.S.

WATSON

LAND SURVEYORS Ltd.

218 CHURCH STREET
BELLEVILLE, ONTARIO K8N 3C3

Belleville: 613-962-9521
Fax: 613-962-8729
Email: surveyor@watsonsurveyors.ca

Attention Greg Pinchin,

January 23, 2020

RECEIVED

JAN 30 2020

Re: Right of Way Application for John Allison

BELLEVILLE COMMITTEE
OF ADJUSTMENT

I am the authorized agent for John Allison in regards to the proposed right of way application located in Lots 18-21, Concession 1 in Thurlow township. On Title, John & Barbara Allison are owners of the subject lands. Barbara passed away in December 2018. John together with his son Howard Allison also own the benefitting lands. Currently the benefitting lands are land locked and the subject lands are accessed via a right of way from Elmwood Drive that is owned by the City of Belleville. John is planning on selling the subject lands in the future, but before he does, he wanted to ensure that he and his son would always have legal access to the benefitting lands. In order to obtain that, the application that accompanies this letter is seeking a 28m x 28m right of way over the subject lands that would extend past the existing City of Belleville Right of Way giving the benefitting lands access to Elmwood Drive.

Assuming this new right of way is approved, we would then need to have the existing right of way owned by the City of Belleville updated to include both parcels instead of just one as per your email dated November 12th to Watson Land Surveyors Ltd.

Sincerely,

Keith Watson OLS

SURVEY RECORDS

J. T. Ransom, O.L.S. • R.D. Boyce, O.L.S. • W. J. Pattison, O.L.S. • Walter I. Watson, O.L.S. • S. W. Allan, O.L.S. • D. L. Hume, O.L.S.

• SURVEYING THE QUINTE AREA FOR OVER FIFTY YEARS •



CITY OF BELLEVILLE

Andrew Chan, Policy Planner
Engineering and Development Services Department
Report No. COA-2020-03
June 18, 2020

To: Belleville's Committee of Adjustment

Subject: Application for Proposed Consent
Part of Lots 18-21, Concession 1 Thurlow (east of 242 Elmwood Drive), City of Belleville
OWNER/APPLICANT: John Allison
AGENT: Keith Watson, Watson Land Surveyors

File: B10/20

Recommendation:

"THAT the requested consent to create an approximately 28 by 28 metre right-of-way over the south-west corner of the parcel in favour of the abutting parcel to the south to provide a shared access to an existing right-of-way that extends east from Elmwood Drive be **approved**, subject to the following conditions:

- a) the financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property to be satisfied;
- b) the necessary deeds to be submitted in triplicate, along with one digital copy and one paper copy of a deposited plan of survey (R-plan) or a legal description acceptable to the Registrar of Deeds, and Condition a) to be fulfilled prior to the issuance of the Consent Certificate;
- c) Conditions a) and b) inclusive to be fulfilled within one (1) year of the Committee's Decision."

Executive Summary

The subject land is located along Elmwood Drive, is accessible through an existing 20.0 metre wide right-of-way, and is currently used for agriculture. The subject land is designated as Rural Land Use in the Official Plan and Rural (RU) Zone in Zoning By-Law 3014, which both permit agriculture.

The application requests to create an approximately 28 by 28 metre right-of-way over the south-west corner of the parcel. This right-of-way will ensure that the abutting parcel to the south has access to the municipal road through the existing right-of-way.

The proposal is consistent with the Provincial Policy Statement, Official Plan, Zoning By-Law.

Circulation of this application to the public and other departments/agencies has occurred in accordance with the Planning Act.

The proposal is in alignment with the Strategic Plan.

Based on information received at the time of writing this report, the Approvals Section of the Engineering and Development Services Department has no objection to the approval of Consent application B10/20.

Background

Location and Site Details

The subject land is located along Elmwood Drive, has approximately 73.8 hectares in area, is accessible through an existing 20.0 metre wide right-of-way, and is currently used for agriculture.

Under the Official Plan, the subject land is designated as Rural Land Use, which has a range of uses including agriculture.

Under Zoning By-Law 3014, the subject land is in the Rural (RU) Zone, which has a range of uses including farming.

Site details for the subject land:

Site Review	Description
Site Location	The subject land is municipally known as Part of Lots 18-21, Concession 1 Thurlow which is located east of Elmwood Drive between Airport Parkway and Old Highway 2
Site Size	~73.8 hectares
Present Use	Agriculture
Proposed Use	Agriculture
Belleville Official Plan Designation	Rural
Present Zone Category	Rural (RU) Zone
Land uses to the north	Agriculture
Land uses to the east	Extractive Industrial

Land uses to the south	Agriculture and Extractive Industrial
Land uses to the west	Residential and Community Facility

The supporting documents for this application are available online for public review at www.belleville.ca/DevelopmentApplications.

Proposal

The application requests to create an approximately 28 by 28 metre right-of-way over the south-west corner of the parcel in favour of the abutting parcel to the south to provide a shared access to an existing right-of-way that extends east from Elmwood Drive.

Easement	Frontage	20.0 metres along Elmwood Drive
	Area	~785 square metres
	Current Use	Vacant/undeveloped farm field
	Proposed Use	No change

Discussion

Provincial Policy Statement

Municipalities are required to ensure all decisions related to land use planning matters shall be consistent with the Provincial Policy Statement.

This application does not propose a change in use

Planning Staff considered the following policies in the PPS:

1.1.1 Healthy, livable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

1.1.5.2 On rural lands located in municipalities, permitted uses are:

- a) the management or use of resources;
- b) resource-based recreational uses (including recreational dwellings);

- c) limited residential development;
- d) home occupations and home industries;
- e) cemeteries; and
- f) other rural land uses.

Since the use of the property is not proposed to change, it is Staff's opinion that the proposal is consistent with the Provincial Policy Statement.

Official Plan

The current Official Plan was adopted by City Council on June 18, 2001 and approved by the Ministry of Municipal Affairs and Housing on January 7, 2002. Since 2002, a significant number of new and updated policies and legislation have occurred at the provincial level. The City is currently undertaking a Municipal Comprehensive Review and update to the policies of the Official Plan to ensure they comply with current provincial policies and legislation. The City will have to comply with the province's new legislation, regulations, and policies when updating the Official Plan.

The land is designated "Rural" in the City's Official Plan. Planning Staff used the policies within the Official Plan to make recommendations. The Official Plan states that lands within the Rural Land Use designation shall be used predominantly for agricultural activity.

Since the use of the property is not proposed to change, it is Staff's opinion that the proposal is consistent with the Official Plan.

Zoning By-Law

The proposed right-of-way is Rural (RU) Zone in Zoning By-Law 3014, which permits farming. This application does not propose a change in use.

This application proposes to ensure that the abutting parcel to the south has access to the municipal road.

Input from Departments/Sources

Circulation of this application to other departments/agencies has occurred.

External Agency Circulation

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Hastings and Prince Edward Health Unit, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Elexicon Energy, Hydro One,

TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines, MPAC, and the Health Unit.

At the time of writing this report, no 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 General Manager of Transportation & Operations Department, General Manager of Environmental Services, the Director of Recreation, Culture and Community Services, the Manager of Parks & Open Spaces, the Chief Administrative Officer, the Manager of Economic & Strategic Initiatives, the City Clerk, the Chief Building Official, the Principal Planner of Policy Planning, and the Accessibility Co-ordinator.

Belleville Transportation & Operations Department, Policy Planning Department, and Development Technologist have provided correspondence that they have no objections to the application.

At the time of writing this report, no other comments or concerns have been received regarding this application.

Considerations

Communication and Public Engagement

On May 28, 2020, a written notice and location map was mailed by first class mail to all registered owners of land within 60 metres of the subject property. The notice provided information that a public meeting was scheduled for June 18, 2020.

Similarly, a sign was placed on the subject land notifying the general public that a public meeting was scheduled for June 18, 2020.

At the time of writing this report, no correspondence from the public has been received by the City regarding this application.

Circulation to the public complies with the requirements of the Planning Act, R.S.O. 1990.

Financial Considerations

The fees of the application have been received by the City.

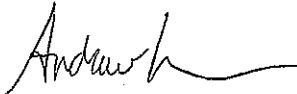
Strategic Plan Alignment

The City of Belleville's Strategic Plan identifies nine strategic themes. This application aligns with the City's nine strategic themes and the City's mission statement.

Conclusion

Based on information received at the time of writing this report, the Approvals Section of the Engineering and Development Services Department has no objection to the approval of Consent application B10/20.

Respectfully submitted,



Andrew Chan, BES
Policy Planner, Policy Planning
Engineering and Development Services Department

MEMORANDUM

To: Greg Pinchin
Manager, Approvals Section

From: Jason Pettit
Development Technologist

Date: March 3, 2020

Application No. B10/20

Regarding: Committee of Adjustment Application for Consent B10/20
East of 248 & 242 Elmwood Drive, Belleville
OWNER: John Allison
AGENT: Keith Watson

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 applicant shall be advised that Elmwood Drive is designated as a local road and requires 20 metres or 66 feet as defined by the Official Plan in regards to right-of-way width. In the event the width is deficient the Applicant shall be required to deed, gratuitously to the City, road widening that is half of the difference between the existing road allowance and 20 metres or 66 feet along both the severed and retained portions of the property.
2. Any existing drains on the retained or severed portions are not to be removed, altered or relocated without the consent of the City.



Jason Pettit

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

Due to the ongoing COVID-19 situation, the City of Belleville is now conducting all committee meetings virtually. Members of the public will still have the ability to provide input and watch meeting proceedings digitally.

TAKE NOTICE that the City of Belleville Committee of Adjustment will hold a public meeting, as noted above, on **Thursday June 18, 2020 at 3:30 p.m.** to consider an application under Section 53 of the Planning Act, submitted by Caitlin Sheahan, Ainley Group on behalf of Matt Giesebrecht.

The subject property is municipally known as 144 Avondale Road, and is presently zoned R1-Residential First Density. The applicant wishes to sever two residential lots from the rear of the property fronting on Aldersgate Drive with frontages of 15.0 m each, and lot areas of approximately 570 square metres. The applicant further wishes to create a 3.0 m wide sanitary sewer easement on the property to connect the proposed lots to services on Avondale Road.

A sketch of the proposed consent is included with this notice.

How to watch a meeting:

All committee meetings will be streamed live, available on the Belleville City Hall YouTube channel (<https://www.youtube.com/user/BellevilleCityHall>). The video will also be posted online following the meeting in the event you were unable to watch it live at the time it occurred.

How to participate in a meeting:

Written comments (via email or in writing) before a meeting

Residents are encouraged to make written comments or submissions before a meeting to committee by emailing or writing to the undersigned.

Computer/smartphone/tablet

Members of the public will also be able to participate in committee meetings through ZOOM Cloud Meetings. Interested residents can register by emailing ckeays@belleville.ca with their name, phone number, and the agenda item(s) they wish to speak to, or by calling 613-967-3224 and leaving a message with their name, phone number, e-mail address, and the agenda item(s) they wish to speak to. Those who have registered will be provided with the ZOOM meeting information prior to the meeting date. Registration will close at 4 p.m. Tuesday, June 16, 2020.

Telephone

To participate in a meeting via telephone, members of the public must register by calling 613-967-3224 and leaving a message with their name, phone number and the agenda item(s) they wish to speak to; City staff will then contact the member of the public to confirm their participation and provide meeting details. Registration will close at 4 p.m. Tuesday, June 16, 2020.

How to ask a question during the meeting:

Registered members of the public will be able to provide comments and ask questions during committee meetings in the same manner as in-person committee meetings. The Chair of the meeting will open the floor to public comments – any member of the public participating through ZOOM that wishes to speak will need to click the 'Raise Hand' button to request to speak. The raise hand button is on the right hand side of the ZOOM meeting screen under the 'Participants' tab. Any member of the public participating by telephone will be given an opportunity to provide comments and ask questions.

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 by contacting the Approvals Section by telephone, mail or e-mail at the address below, or by visiting: <https://belleville.ca/city-hall/page/current-planning-and-development-applications>

Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to this application using methods explained above, 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 application, you must submit a **written** request to the undersigned.

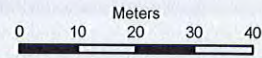
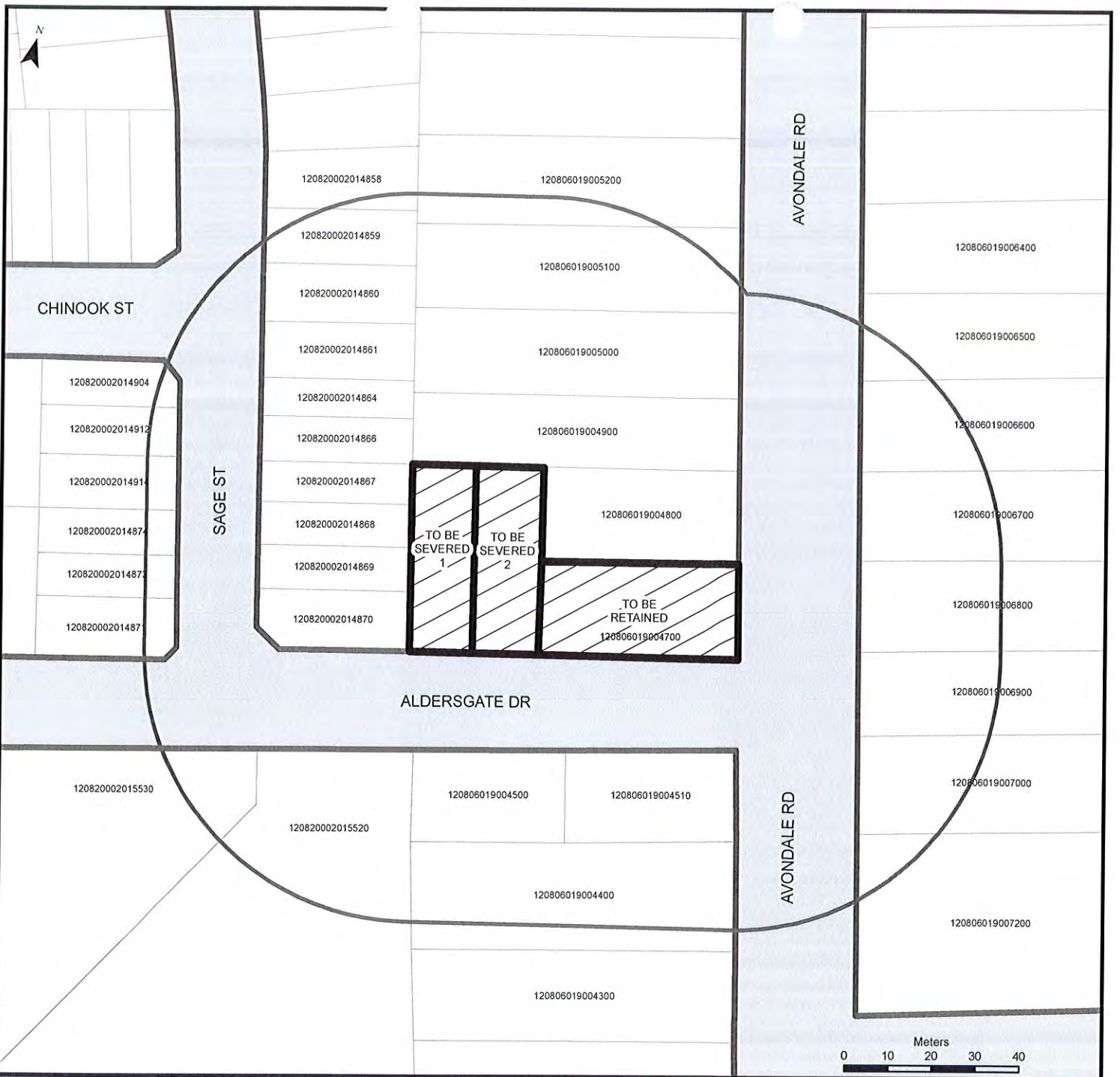
If a person or public body that files an appeal of a decision of the City of Belleville Committee of Adjustment in respect of the proposed consent does not make a written submission to the City of Belleville Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning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

The lands subject to this application for consent are also subject to a corresponding application for zoning by-law amendment, file number B-77-1107.

Dated this 28th day of May, 2020.



Greg Pinchin
Manager of Approvals
City of Belleville
Committee of Adjustment
169 Front Street
BELLEVILLE, ON
K8N 2Y8
Tel: (613) 967-3224
Email: gpinchin@city.belleville.on.ca



APPLICATION NO:

B 11/20 & B 12/20

LOCATION: 144 AVONDALE RD



Subject Property

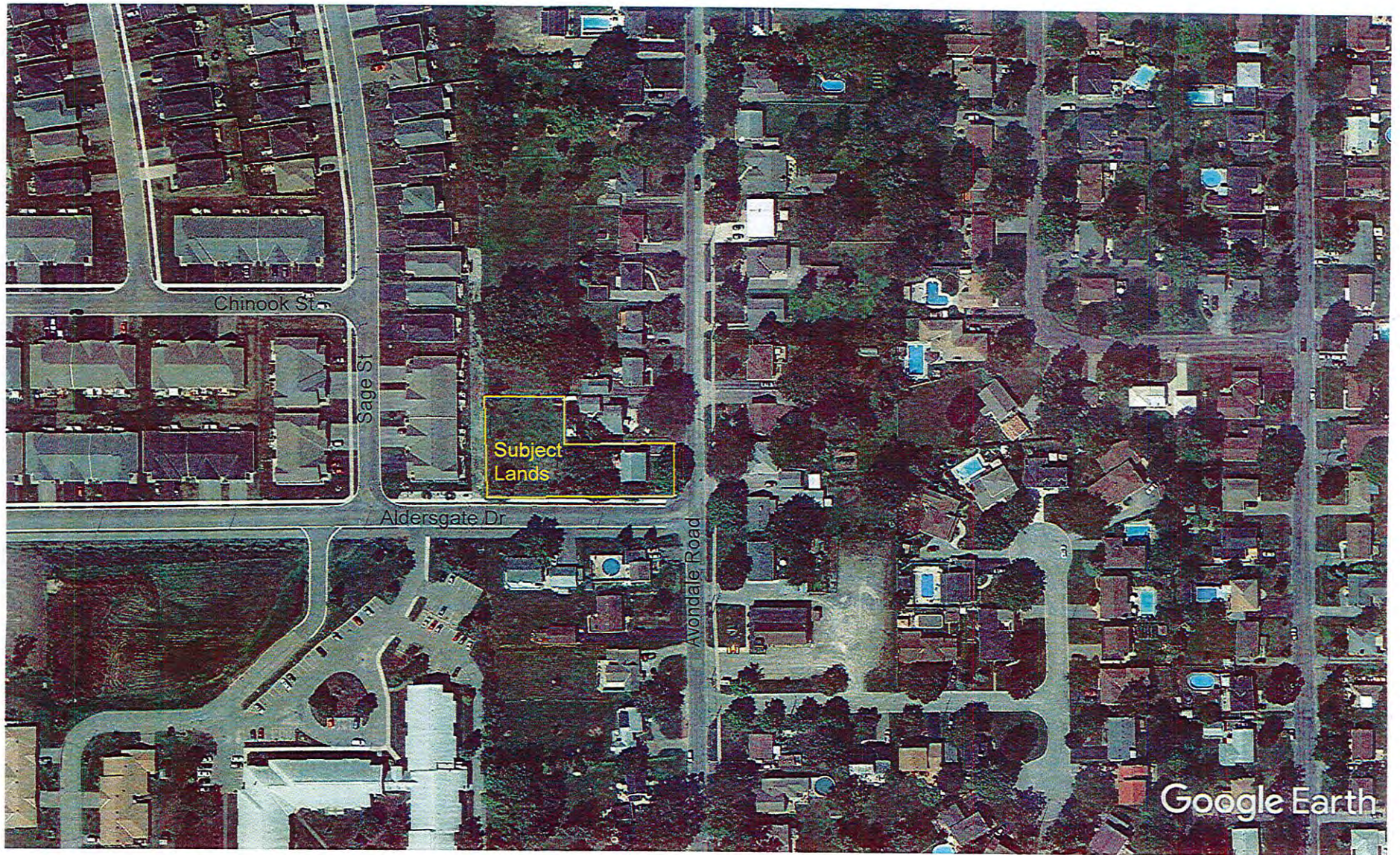


Notification Area



CITY OF BELLEVILLE

ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT



Google Earth

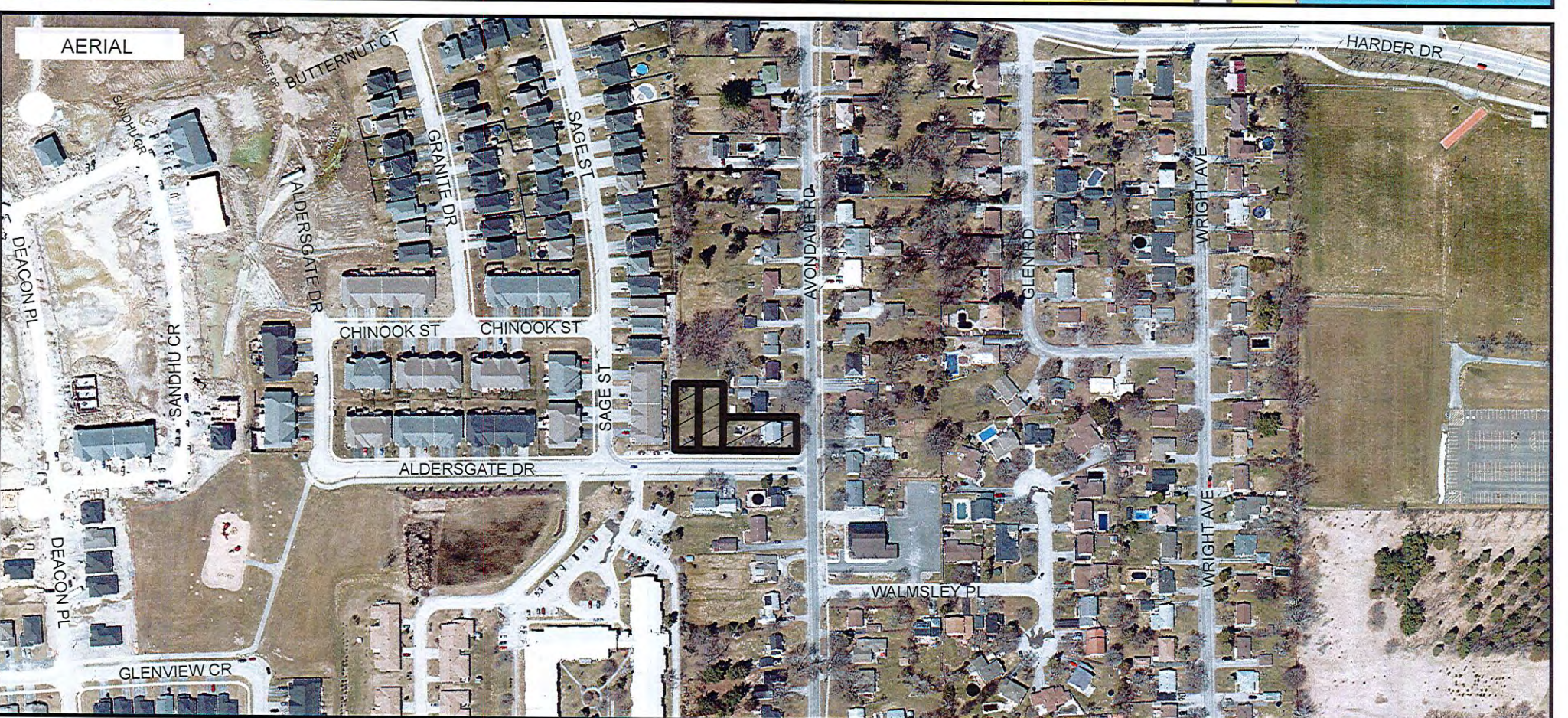
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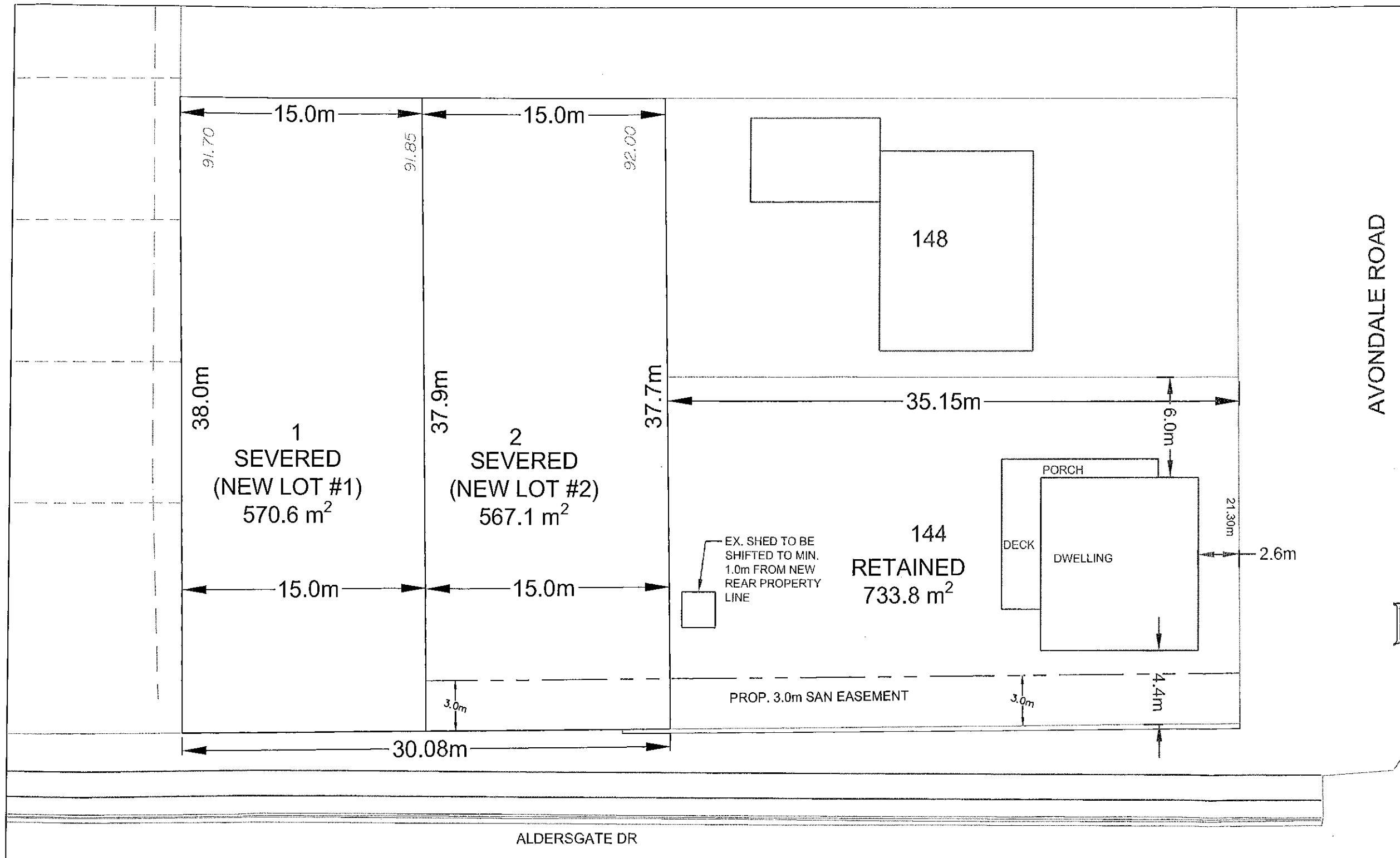
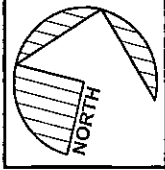
200

Figure 1: Key Map

144 AVONDALE RD



NOTES:



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FEB 18 2020

BELLEVILLE COMMITTEE OF ADJUSTMENT

SKETCH
 PART OF PARK LOT 16
 REGISTERED PLAN 198
 TOWNSHIP OF SIDNEY
 NOW IN THE CITY OF BELLEVILLE
 COUNTY OF HASTINGS
 METRIC SCALE: 1:250

144 AVONDALE SEVERANCES
 CITY OF BELLEVILLE

SEVERANCE PLAN

CONTRACT No. 19637-1 Date: FEB 2020



MEMORANDUM

Ainley Graham & Associates Limited
139 Front Street Unit 100, Belleville, ON K8N 2Y6
Tel: (613) 966-4243 P Fax: (613) 966-1168

RECEIVED

To: Greg Pinchin

FEB 18 2020

From: Caitlin Sheahan

BELLEVILLE COMMITTEE
OF ADJUSTMENT

Date: February 19, 2020

Ref: Applications for Consent and Zoning By-Law Amendment
144 Avondale Road

File: 19637-1

BACKGROUND

Ainley Group has been retained to prepare Applications for Consent and Zoning By-Law Amendment for the property located at 144 Avondale Road, immediately north of the intersection of Avondale Road and Aldersgate Drive in Belleville, Ontario, described as:

Part of Lot 16
Registered Plan 198
Former Sidney Township, now City of Belleville, Hastings County

The subject property has 21.3m of frontage on Avondale Road and 65.15m of frontage on Aldersgate Drive. The property is bounded to the west by Potters Creek residential development (R5-37 zoning) and to the east, north, and south by other Avondale Road residential development (R1 zoning). A regional location plan showing the location of the site relative to other urban and residential properties is attached as **Figure 1**.

The current and future land use for the property is residential. It is proposed to sever approximately 1140m² from the rear of the lot at 144 Avondale Road and create two (2) new development lots for single family residential units. The proposed lots will each have 15.0m frontage on Aldersgate Drive and approximately 38.0m depth (**Figure 2**). This would leave the retained 144 Avondale Road lot with a lot size of approximately 749m², which exceeds the minimum area for the existing R1 zoning (min. lot area - 696.5m²). As such, the retained lot will comply with its existing R1 zoning.

ZONING BY-LAW AMENDMENT

The proposed two (2) new infill lots would not be in compliance with the existing R1 zoning of the subject lands. As such, it is proposed to rezone the properties to an R2-X zone. The special provisions required for the R2-X zone would be as follows:

- Minimum lot frontage: 15.0m

- Minimum lot area: 570m²

This proposed zoning and lot size is consistent with other single family residential lot sizes in Belleville subdivisions, such as Potters Creek, located to the immediate west of the subject lands.

SERVICING CONSIDERATIONS

This proposal will require bringing sanitary sewer services from Avondale to service the future lots. Municipal watermain is already available on Aldersgate Drive. The City has Avondale Road reconstruction on the 2020 budget as a Capital Works project. The property owner has requested that the City include the two (2) proposed sanitary service laterals as part of the proposed construction works. A permanent 3.0m wide easement on the 144 Avondale property would be required for the two (2) 135mm diameter PVC sanitary service laterals. Two (2) new watermain services will be provided to the Municipal main on Aldersgate Drive.

This potential future infill development would provide residential use which is similar to the existing land use found throughout the surrounding area. An overview of how the proposal conforms to the City's Official Plan and the Provincial Policy Statement is as follows.

Official Plan

The lands are designated for residential land use within the City's Official Plan. The Official Plan outlines the vision and objectives for the City (City of Belleville, 2002).

Section 3.10-Residential Land Use policies of the Official Plan states, "*Residential development within areas designated Residential land use should be permitted to occur at various densities within the City to ensure a full range of housing forms at different sizes and styles that meets the needs of all citizens provided.*"

- The proposed lot severances from 144 Avondale and Zoning By-Law Amendment will create two (2) infill residential lots of approximately 570m² area each. This will contribute to the supply of a range and mix of housing types and densities available in the City of Belleville to meet projected requirements of current and future residents by providing housing which is affordable to low and moderate income households.

Section 3.10.2 (h) states, "*Infill housing should be encouraged in existing neighborhoods to maximize land utilization and efficiency of municipal infrastructure, provided such development does not detract from the character of the neighborhood.*"

- The proposed infill project will maximize the use of lands which are currently underdeveloped and abutting high density development (R5-37). The character of the neighborhood will be consistent with that of existing Aldersgate Drive. Further, the proposal will include use of existing municipal infrastructure, which should be promoted, wherever feasible.

Section 7.15.4 states that the Official Plan "*...supports compatible housing intensification and infill development such as...infilling on existing lots of record and maximizing use of underutilized lots.*"

- The existing 144 Avondale Road lot backs onto townhouses developed according to the R5-37 Zoning By-Law. The proposed infill residential development fronting Aldersgate Drive develop the site to a higher level of use, similar to the surrounding Potters Creek development, and will make use of existing municipal sewer and water services.

Provincial Policy Statement

The provincial policy statement (PPS) came into effect April 30, 2014 (Provincial Policy Statement, 2014). The PPS provides direction on matters of Provincial interest. Section 2 of the Planning Act requires that the decisions of municipal councils 'be consistent' with the PPS in matters related to planning. The PPS ensures that development provides an efficient use of land, that it co-ordinates with existing and possible future transit opportunities and that development contributes to the long-term economic health of the municipality. The following information addresses how the proposed meets the requirements and intent of the various sections of the PPS regarding building strong communities.

Section 1.1.2 of the PPS indicates that, "*Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years.*" This section supports intensification for the development of vacant and / or underutilized lots within previously developed areas.

- The subject lands are currently underutilized within a serviceable area that can be redeveloped for residential uses. The proposed will create infill residential development fronting Aldersgate Drive. This is consistent with the PPS as an intensification project within a settlement area that will provide housing to meet the future population needs of the City.

Section 1.1.3.1 states, "*Settlement Areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.*"

- The PPS directs residential development to settlement areas, which are defined as urban areas, including villages and hamlets. The City of Belleville is a designated settlement area. It is therefore appropriate and consistent with the PPS that these underutilized lots be made available for infill residential development.

Section 1.4.1 states, "*...planning authorities shall maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development.*"

- The proposed redevelopment would accommodate housing demand through the intensification of currently underutilized serviced / serviceable lands which are designated for residential use by the Municipality's Official Plan.

Section 1.4.3 states, "*Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents...by directing the development of new housing towards locations where appropriate*

levels of infrastructure and public service facilities are or will be available to support current and projected needs."

- The proposed two (2) infill lots and retained 144 Avondale Road lot will create smaller lot sizes, which will provide more affordable housing within the City. It will also allow for efficient use of existing infrastructure and public service facilities.

Section 1.6.6.1 states, "*planning for sewage and water services shall direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services...*"

- This proposal will utilize municipal sewage services and water services which are the preferred form of servicing for settlement areas. The PPS states that intensification and redevelopment within settlement areas on existing municipal sewage and water services should be promoted, wherever feasible.

References

City of Belleville. Official Plan. Adopted by By-law 2001-98 on June 18th, 2001. Approved by MMAH on January 7th, 2002.

City of Belleville GIS Viewer. gis.city.belleville.on.ca Site accessed January 24, 2020.

Provincial Policy Statement. Ministry of Municipal Affairs and Housing. Approved by the Lieutenant Governor in Council, Order in Council No. 107/2014. 2014.

RECEIVED

FEB 18 2020

BELLEVILLE COMMITTEE
OF ADJUSTMENT



CITY OF BELLEVILLE

Andrew Chan, Policy Planner
Engineering and Development Services Department
Report No. COA-2020-04
June 18, 2020

To: Belleville's Committee of Adjustment

Subject: Application for Proposed Consent
144 Avondale Road, City of Belleville
OWNER/APPLICANT: Matt Giesebrecht
AGENT: Caitlin Sheahan

File: B11/20 & B12/20

Recommendation:

"THAT the requested consents to sever two (2) residential building lots with frontages of 15.0 m along Aldersgate Drive from the west side of the property at 144 Avondale Road, and parcel areas of 570.6 and 567.1 square metres, respectively, be **approved**, subject to the following conditions:

- a) the financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property to be satisfied;
- b) the parcels are rezoned to comply with the provisions of the applicable zoning by-law;
- c) 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 parcels and the necessary payment lodged with the Treasurer of the City of Belleville;
- d) the Owner providing, and receiving approval, for a servicing and drainage plan for the severed parcels to the satisfaction of the City;
- e) the severed and retained parcels must have sanitary sewer service connections installed from the main on Avondale Road to the property line on Avondale Road in the course of the City's reconstruction project, the cost of which shall be invoiced by the City, and paid by the Owner prior to installation by the City's contractor;

- f) the necessary deeds to be submitted in triplicate, along with one digital copy and one paper copy of a deposited plan of survey (R-plan) or a legal description acceptable to the Registrar of Deeds, and Conditions a) to e) inclusive be fulfilled prior to the issuance of the Consent Certificate;
- g) conditions a) to f) inclusive to be fulfilled within one (1) year of the Committee's Decision; and
- h) development charges will be payable for any future development of the severed parcels."

Executive Summary

The subject land located at 144 Avondale Road is currently used for a single-detached dwelling. The subject land is designated as Residential Land Use in the Official Plan and Residential First Density (R1) Zone in Zoning By-Law 10245, which both permit residential dwellings.

The application requests to sever the subject property to create two (2) new residential parcels, all fronting on Aldersgate Drive. The application is subject to a concurrent zoning application B-77-1107, which is addressing the zoning for the severed parcels.

The proposal is consistent with the Provincial Policy Statement and Official Plan. The severed parcels will need to be rezoned to Residential Second Density (R2) Zone to comply with the Zoning By-Law.

Circulation of this application to the public and other departments/agencies has occurred in accordance with the Planning Act.

The Development Technologist has stated that the Engineering Section has agreed with the applicant to add the two required laterals into their contract, and the applicant will be billed, respectively, as a requirement for the severance. Policy Planning has commented in support of rezoning the severed parcels as R2 Zone.

Written submissions from the public were received in opposition of the consent and rezoning applications. The concerns included the potential future development of properties north of 144 Avondale Rd; increase in pedestrian and vehicular traffic, stormwater runoff, and demand on water and sanitary services; noise from the new residential dwellings; loss of privacy, views and mature trees; and drop in adjacent property values.

The future development of residential parcels in the rear yards of the Avondale Road properties is not feasible since the Official Plan policies and

Zoning By-Law provisions do not permit the development of parcels without municipal frontage.

The effect of two new dwellings in the local area should have no adverse impact regarding traffic, stormwater runoff, demand on services, and noise.

The proposal is in alignment with the Strategic Plan theme of Residential Development.

Based on information received at the time of writing this report, the Approvals Section of the Engineering and Development Services Department has no objection to the approval of Consent applications B11/20 & B12/20.

Background

Location and Site Details

The subject land located at 144 Avondale Road has 1880.5 square metres in area, has a frontage of 21.3 metres, and is currently used for a single-detached dwelling.

Under the Official Plan, the subject land is designated as Residential Land Use, which has a range of uses including low density residential dwellings.

Under Zoning By-Law 10245, the subject land is Residential First Density (R1) Zone, which includes single-detached dwelling as a permitted use.

Site details for the subject land:

Site Review	Description
Site Location	The subject land is municipally known as 144 Avondale Road which is located on the northeast corner of Avondale Road and Aldersgate Drive
Site Size	Retained: ~734 square metres Severed: ~567 square metres each
Present Use	Residential
Proposed Use	Retained: residential Severed: two residential parcels
Belleville Official Plan Designation	Residential
Present Zone Category	Residential First Density (R1) Zone
Proposed Zone Category	Retained: Residential First Density (R1) Zone Severed: Residential Second Density (R2) Zone
Land uses to the north	Residential
Land uses to the east	Residential

Land uses to the south	Residential
Land uses to the west	Residential

The supporting documents for this application are available online for public review at www.belleville.ca/DevelopmentApplications.

Proposal

The application requests to sever the subject property to create two (2) new residential parcels, all fronting on Aldersgate Drive, with frontages of 15.0 metres and areas of 570.6 and 567.1 square metres, respectively.

The application is subject to a concurrent zoning application B-77-1107, which is addressing the zoning deficiencies for the minimum lot frontage and area for the severed parcel.

Severed Parcel #1	Frontage	15.0 metres
	Area	570.6 square metres
	Current Use	Rear yard of single-detached dwelling
	Proposed Use	Single-detached dwelling
Severed Parcel #2	Frontage	15.0 metres
	Area	567.1 square metres
	Current Use	Rear yard of single-detached dwelling
	Proposed Use	Single-detached dwelling
Easement	Location	exterior side yard of 144 Avondale Road
	Width	3.0 metres
	Proposed Use	sanitary sewer laterals, to severed parcels
Retained Parcel	Frontage	21.3 metres
	Area	733.8 square metres
	Current Use	Single-detached dwelling
	Proposed Use	None

Discussion

Provincial Policy Statement

Municipalities are required to ensure all decisions related to land use planning matters shall be consistent with the Provincial Policy Statement.

Planning Staff considered the following policies in the PPS:

- 1.1.1 Healthy, livable and safe communities are sustained by:
 - a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and

- municipalities over the long term;
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

It is Staff's opinion that the proposal is consistent with the Provincial Policy Statement because the proposed residential development is limited, and is compatible with the suburban landscape.

Official Plan

The current Official Plan was adopted by City Council on June 18, 2001 and approved by the Ministry of Municipal Affairs and Housing on January 7, 2002. Since 2002, a significant number of new and updated policies and legislation have occurred at the provincial level. The City is currently undertaking a Municipal Comprehensive Review and update to the policies of the Official Plan to ensure they comply with current provincial policies and legislation. The City will have to comply with the province's new legislation, regulations, and policies when updating the Official Plan.

The land is designated "Residential" in the City's Official Plan. Planning Staff use the policies within the Official Plan to make recommendations.

The following policies regarding the Residential Land Use were considered:

- The type and arrangement of dwellings and densities are important to the character of the City and specific residential neighbourhoods. Ideally all neighbourhoods should contain a mixture of dwelling types at different densities, but in some cases this is not possible nor is it desirable; some neighbourhoods therefore may consist predominantly of one form of housing whereas other neighbourhoods would have greater variety. Care should be exercised however to not create areas of excessively high densities without ample supply of municipal services and community facilities to meet the needs of such a neighbourhood.
- The conservation and rehabilitation of existing housing stock is encouraged by this Plan in order to maintain the supply of older housing and to preserve the character of existing neighbourhoods. Infill housing should be encouraged in existing neighbourhoods to maximize land utilization and efficiency of municipal infrastructure, provided such development does not detract from the character of the neighbourhood. In some instances, conversion of larger existing residential dwellings into multiple use is warranted provided sufficient parking can be provided and the character of the existing dwelling is not significantly altered.

It is Staff's opinion that the proposal conforms with the Official Plan as the Plan since the proposal is an efficient use of land through infill housing, and is sensitive to the character and density of residential neighbourhood. The proposed dwellings gradually transition the density between the single-detached dwelling on the retained parcel and the townhouse west of the subject land.

Zoning By-Law

The subject land is currently zoned Residential First Density (R1) Zone in Zoning By-Law 10245.

Consent applications B11/20 and B12/20 propose to sever two new residential lots from part of the rear yard area of the subject land. The proposed severed parcels, if approved, will not meet the minimum lot frontage and lot area requirements of the Residential First Density (R1) Zone, and will require rezoning.

This application proposes to rezone the area of the subject land to be severed as a result to Consent applications B11/20 and B12/20 to a Residential Second Density (R2) Zone.

The relevant R1 and R2 Zone provisions and the dimensions of the severed parcels are summarized in the following table:

Provisions	R1 Zone	R2 Zone	Proposed Severed Parcels
Permitted Use	Includes Single-Detached Dwelling	Includes Single-Detached Dwelling	-
Minimum Lot Frontage	18 metres	15 metres	15 metres
Minimum Lot Area	696.5 square metres	464.5 square metres	~567 square metres

The proposed two severed parcels would conform of the minimum lot frontage and lot area requirements of the R2 Zone.

Input from Departments/Sources

Circulation of this application to other departments/agencies has occurred.

External Agency Circulation

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Hastings and Prince Edward Health Unit, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Elexicon Energy, Hydro One, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines, MPAC, the Health Unit, the City of Quinte West, and the Ministry of Transportation.

At the time of writing this report, no 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 General Manager of Transportation & Operations Department, General Manager of Environmental Services, the Director of Recreation, Culture and Community Services, the Manager of Parks & Open Spaces, the Chief Administrative Officer, the Manager of Economic & Strategic Initiatives, the City Clerk, the Chief Building Official, the Principal Planner of Policy Planning, and the Accessibility Co-ordinator.

Belleville Transportation & Operations Department and Chief Building Official have provided correspondence that they have no objections to the application.

The Development Technologist has stated that the Engineering Section has agreed with the applicant to add the two required laterals into their contract,

and the applicant will be billed, respectively, as a requirement for the severance.

Policy Planning has commented in support of the creating of two residential parcels. The severed parcels would require to be rezoned to R2 Zone.

At the time of writing this report, no other comments or concerns have been received regarding this application.

Considerations

Communication and Public Engagement

On May 28, 2020, a written notice and location map was mailed by first class mail to all registered owners of land within 60 metres of the subject property. The notice provided information that a public meeting was scheduled for June 18, 2020.

Similarly, a sign was placed on the subject land notifying the general public that a public meeting was scheduled for June 18, 2020.

Written submissions were received in opposition of the consent and rezoning applications. The concerns included the future development of properties north of 144 Avondale Rd; increase in pedestrian and vehicular traffic, stormwater runoff, and demand on water and sanitary services; noise from the new residential dwellings; loss of privacy, views and mature trees; and drop in adjacent property values.

The concern regarding future development outlines a development scenario of using one of the severed parcels as a right-of-way to create more residential parcels in the rear yards of the Avondale Road properties. Such a proposal would not be feasible since the Official Plan policies and Zoning By-Law provisions do not permit the development of parcels without municipal frontage.

The concerns regarding increased traffic, stormwater runoff, demand on services, and noise are about the effects of the new dwellings in the local area. The application is proposing two single-detached dwellings, which should have no adverse impact on these subjects.

At the time of writing this report, no other correspondence from the public has been received by the City regarding this application.

Circulation to the public complies with the requirements of the Planning Act, R.S.O. 1990.

Financial Considerations

The fees of the application have been received by the City.

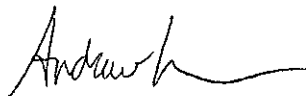
Strategic Plan Alignment

The City of Belleville's Strategic Plan identifies nine strategic themes. The recommendation within this report aligns with one of the City's strategic themes. The strategic theme "Residential Development" and the City's strategic objective to "Plan for residential growth to meet our needs for 20 years and designate sufficient land in our planning documents to accommodate residential growth for 10 years". The approval of the above-noted consents will create two new development parcels on which can be constructed single detached dwellings.

Conclusion

Based on information received at the time of writing this report, the Approvals Section of the Engineering and Development Services Department has no objection to the approval of Consent applications B11/20 & B12/20.

Respectfully submitted,



Andrew Chan, BES
Policy Planner, Policy Planning
Engineering and Development Services Department

MEMORANDUM

To: Greg Pinchin
Manager, Approvals Section

From: Jason Pettit
Development Technologist

Date: March 3, 2020


Application No. B11&12/20

Regarding: Committee of Adjustment Application for Consent B11&12/20
144 Avondale Road, Belleville
OWNER: Matt Giesebrecht
AGENT: Caitlin Sheahan

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 applicant and their agent have been in contact with the Engineering Section of the Engineering and Development Services Department who are coordinating the future Avondale Road Capital Construction Project. The Engineering Section has agreed to add the two required laterals into their contract. The applicant will be billed for the laterals sometime after the project begins. This will be a requirement for the severance.
2. The Owner should be aware that the proposed severed parcels will not be buildable until the sanitary sewer services are installed, and active.



Jason Pettit

To: Planning Mailbox

Subject: 144 AVONDALE; SEVERANCE AND CHANGE TO R RATING

CAUTION: This email is **NOT** from the city of Belleville. Do **NOT** click links or open attachments unless you recognize the sender and know the content is safe!

My name is Chris LeSage and I live at 27 Sage St. Belleville. I purchased my property based upon the fact that behind me I had privacy and was not in a position of looking into my neighbours bedroom or living room as most of the homes located in the Duvanco development currently do.

I wish to object to this change of R1 to R2 and the severance based upon the potential for each of the properties that lie to the north of 144 to then also be able to in the future apply for the same consideration. One of them could be purchased and the current home on the property destroyed to allow for a road to be built to access these severances and residential homes. This would in the future also see mature healthy trees removed thus eroding both the environment and the current enjoyment of property owners along sage street. There is also the traffic flow and now there is only one exit out of Sage St. the increase in residents and construction delivery and equipment will add to the congestion, the wear and tear on the roadways and the increase in demand for the water, sewer, and foot traffic. I do know that Avondale is slated for renewal of the street but when that will happen in our current Covid 19 economics makes the possible increase in traffic flow and construction equipment a further detriment to the condition of the existing roadway and in the future the possible finished new surface.

I realize these are only potential possibilities but I do know that once the first step is taken it lays open those possibilities.

Thank you in advance for your consideration of my position.

May 27, 2020

City of Belleville
Engineering & Development Services Department
Policy Planning Section

Attention: Matt MacDonald, Secretary, Planning Advisory Committee

Dear Sir:

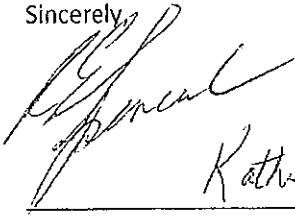
Re: Consent Applications B11/20 and B12/20

We, the undersigned, live in close proximity to the parcels that are the subject of the above noted severances. We object to the applications to sever the parcels from 144 Avondale Road and the application to rezone the severed parcels from R1 to R2 for the following reasons:

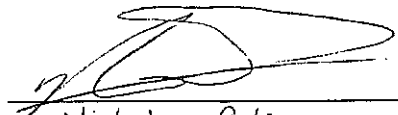
- All of the other lots on the west side of Avondale Road that back onto Sage Street have larger lots, zoned R1, which allows a buffer between the new homes in Potter's Creek and the existing homes on Avondale Road.
- The townhomes on the east side of Sage Street are built at a higher elevation than the lots behind on Avondale Road and therefore will overlook the two new lots, diminishing our privacy and enjoyment of our back yards and decks.
- There will be an aesthetic loss due to obstructed view and removal of trees.
- There may be a reduction in property values and potential difficulty in the event of resale.
- Any change in drainage or grade will affect the already problematic swale behind the six townhomes.
- We are concerned about the increased volume of traffic that two new driveways on Aldersgate Drive will create. The existing mailboxes are in close proximity to the proposed new property entrances.

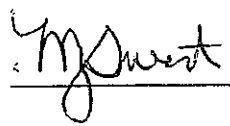
Thank you for your consideration of these issues.

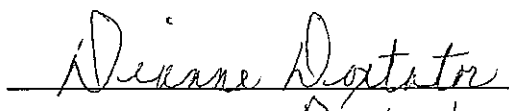
Sincerely,


Kathryn Spencer-Lee

Richard and Kathryn Spencer-Lee
7 Sage Street


Nicholas Sabino
5 Sage Street.


M Sweet 3 Sage St.


DIANNE Dostator
13 Sage ST

May 27, 2020

City of Belleville
Engineering & Development Services Department
Policy Planning Section

Attention: Matt MacDonald, Secretary, Planning Advisory Committee

Dear Sir:

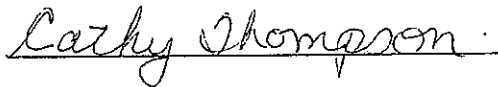
Re: Consent Applications B11/20 and B12/20

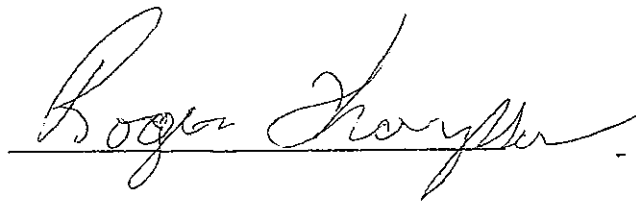
We, the undersigned, live in close proximity to the parcels that are the subject of the above noted severances. We object to the applications to sever the parcels from 144 Avondale Road and the application to rezone the severed parcels from R1 to R2 for the following reasons:

- Increased noise and loss of privacy.
- There will be an aesthetic loss due to obstructed view and removal of trees.
- The increased volume of traffic that two new driveways on Aldersgate Drive will create. There is already a great deal of traffic due to the existing mailboxes and the entrance to the Aldersgate Village apartments and garden homes.

Thank you for your consideration of these issues.

Sincerely,





Red and Cathy Thompson
3 Aldersgate Drive

Subject: Re: Zoning By-Law Amendment Application 144 Avondale Road, Belleville

CAUTION: This email is **NOT** from the city of Belleville. Do **NOT** click links or open attachments unless you recognize the sender and know the content is safe!

Dear Mr. MacDonald,

We object to the above-noted rezoning application and severance applications B11/20 and B12/20. I have attached signed letters from some of the concerned neighbours together with some photos that illustrate the loss of privacy that this rezoning would create.

Thank you for your consideration.

Sincerely,

Richard and Kathy Spencer-Lee

7 Sage Street, Belleville

613-968-9005









Guidelines for the Reduction of Parking Requirements for Affordable Rental Housing

Introduction

The City of Belleville has identified existing parking requirements for residential development as a significant barrier in incentivizing development of affordable rental housing¹. **Affordable rental housing, for the purpose of these guidelines, is defined as purpose built housing that is either at, or below, the average market rent, as defined by the County of Hastings.** Below average market rental housing includes social housing, low-income housing, and rent geared to income housing. Typically a federal, provincial, or municipal government provides a subsidy for this type of housing. Purpose built rental housing is typically financed and constructed by the private sector. In order to benefit from the reductions included in these guidelines, the City and the proponent will enter into an agreement to ensure the units created will remain at, or below, average market rent. The purpose of this document is to provide guidance to the Committee of Adjustment for granting variances for the reduction of parking spaces for affordable housing. In an effort to ease parking requirements, as part of an overall affordable rental housing strategy, these guidelines provide

direction on best practices for the reduction of parking requirements with respect to housing type, built form, availability and suitability of on-street parking, layout of on-site parking, and additions of second units to primary dwelling units.

These guidelines consist of four parts:

1. Four case studies of affordable housing in southeast Ontario. These case studies include examples of affordable housing developments at different scales in both urban and suburban contexts. More specifically, the case studies show how various approaches to reduced parking requirements were incorporated to make the projects more feasible;
2. A discussion on parking requirements in Ottawa and Peterborough for converted dwellings and second units;
3. An overview of the existing parking regulations in Belleville and their impact on affordable housing developments; and
4. Guidelines for the City of Belleville on granting parking variances based on best practices.

1. Rental housing is a type of tenure and residential land use includes many different types of tenure. Zoning regulations can only regulate land use activities. However, for the purpose of these guidelines, only case studies of rental housing were considered. Potential variances to parking requirements could apply to residential land uses regardless of tenure type (i.e. rental, ownership, housing co-operative, etc.).

Case Studies

Case Study 1: Infill Development

Location: Peterborough

Housing Type: 3-storey apartment building

Number of dwelling units: 28

Number of parking stalls: 19

Parking Ratio: 0.68 (parking stalls/unit)

This development is located at 198 Edinburgh Street in Peterborough, Ontario. The developer of the building applied for a site specific zoning for the development in 2015. The site was previously zoned for medium density housing and the property formerly had two boarding houses that had been damaged by fire. The development was marketed to seniors and the rent would be capped at 80% of market value for 20 years. The building is located in a central area of Peterborough with many amenities within a walkable distance.

The application called for a reduction in parking requirements from 42 parking spaces (1.5 spaces per unit) to 19 parking spaces (0.68 spaces per unit). A parking study prepared by a transportation engineering firm concluded that the on-site parking requirements could be accommodated with 14 parking spaces (0.5 spaces per unit). However, after consulting with the community, the developer increased the proposed number of parking spaces from 14 to 19 to alleviate area residents' concerns about lack of parking. The project was approved in 2015. At the time this case study was prepared, information on how many parking spaces were actually utilized was not available.



The Loyola, 198 Edinburgh Street, Peterborough, ON

Case Study 2: Redevelopment

Location: Belleville

Housing Type: 3-storey apartment building

Number of dwelling units: 18

Number of parking stalls: 23

Parking Ratio: 1.25 (parking stalls/unit)



24 Starling Street, Belleville, ON

24 Starling Street is an affordable rental housing building located in Belleville. The units are offered to tenants at 80% of the average market rate. The development met the city's requirement of 1.25 parking stalls per unit. However, the owner of the

building has stated that since the building's completion in 2009, there have never been more than 3 tenants with cars. This means that only 3 of the building's 23 parking stalls have been utilized. This is equal to a 13% parking utilization rate.

Case Study 3: City Core

Location: Ottawa

Housing Type: 3-storey apartment building

Number of dwelling units: 26

Number of parking stalls: 8

Parking Ratio: 0.31 (parking stalls/unit)



376 Blake Boulevard, Ottawa, ON

This building, located at 376 Blake Boulevard, was purchased by Multifamily Housing Initiative (MHI) in 2008 and converted to an affordable rental housing building. The building has 2 bachelor units, 6 one-bedroom units, 9 two-bedroom units, and 9 three-bedroom units. A number of the larger two-bedroom units were converted to three-bedroom units to accommodate families. The building is located

in the central neighbourhood of Vanier, which is highly walkable with many amenities within walking distance. The area is also relatively well served by public transit. Although the parking ratio for the building is relatively low (0.31 parking stalls/unit), there is currently no wait list for on-site parking.

Case Study 4 – Suburban

Location: Ottawa

Housing Type: Townhouses and low-rise apartment buildings

Number of dwelling units: 98

Number of parking stalls: 81

Parking Ratio: 0.83 (parking stalls/unit)

The Haven, located at 455 Via Verona Avenue, is a recently constructed (2017) affordable housing development developed by MHI. It is located in the Ottawa suburb of Barrhaven. The development features 98 housing units: 30 one-bedroom units, 38 two-bedroom units, 26 three-bedroom units, and 4 four-bedroom units. 10 of the units are fully accessible barrier-free units.

The development is located within 500 metres of a rapid bus line. Most of the parking in this development is utilized. The development was granted a reduction in on-site parking requirements from 106 to 81 representing a reduction of 25 parking stalls. Most of the townhouse units are occupied by families with children and most of the families own motor vehicles. Occupants of the smaller apartment units have fewer motor vehicles.



The Haven, 455 Via Verona Avenue, Ottawa, ON

Discussion: Converted Dwellings and Second Units

Converted Dwellings

Location: Ottawa

Prior to 2014, converted dwellings in Ottawa were exempt from bylaws that applied to new purpose built buildings. Converted dwellings generally consisted of large older homes in mature neighbourhoods that were converted into multi-unit apartments or existing buildings that were renovated and expanded to include additional dwelling units. These types of conversions were popular in central areas located close to post-secondary institutions and many of the converted dwellings were rented to students.

Conversions were not required to provide any additional parking even if the number of dwelling units was greatly increased. However, new purpose built residential buildings were required to provide on-site parking for tenants. This discrepancy of parking requirements for conversions versus new builds led to many conversions in specific neighbourhoods and concern amongst some residents about lack of parking on public streets.

In 2014, the bylaw was amended so that converted dwellings had to comply with the same zoning regulations as new attached housing and low-rise apartments. However, as part of this amendment, parking regulations were relaxed so that duplex dwellings, three-unit dwellings and low-rise apartment dwellings were not required to have more than two parking stalls. Additionally, these parking stalls could be tandem parking stalls instead of the previously required side-by-side parking requirement.

This zoning change does not target affordable housing specifically. However, it does reduce parking requirements for new low-rise multi-dwelling housing in central neighbourhoods. This may result in a larger supply of market rental housing in neighbourhoods with high housing demand. This also gives developers more flexibility for housing projects on constrained building sites.



Example of a converted dwelling in Belleville, ON

Second Units

Location: Ottawa and Peterborough

Second units are housing units that are accessory to a primary residential dwelling. Examples include basement suites, garage suites, and coach houses. Second units are not permitted to be bought and sold separately from the primary residence.

In Ottawa, second units are permitted on lots with single detached dwellings, semi-detached dwellings, and duplex dwellings. Coach houses are also permitted on properties with townhomes that have direct pedestrian access to a public street.

The City of Ottawa has relaxed zoning requirements with respect to second units in an effort to encourage this form of housing, particularly in lower density neighbourhoods. Although these dwellings are not below market housing, they can provide a more affordable rental option for people that cannot afford to rent a larger home. The City relaxed the zoning by no longer requiring additional on-site parking for second units.

Other cities have relaxed parking requirements for second units based on their location or their accessibility. For example, the City of Peterborough does not require any additional on-site parking for second units located in the city core.



Example of a dwelling with a second unit in Belleville, ON

Existing Parking Regulations in Belleville

The existing Belleville Zoning By-law (10245) requires provision of 1 parking space per dwelling unit for single detached dwellings, semi-detached dwellings, and street facing multiple attached dwellings. 1.25 parking spaces per dwelling unit are required for larger apartment style developments. The Thurlow Zoning Bylaw (3014) requires provision of 2 parking spaces per dwelling unit. The Sidney Zoning By-law (2076-80) requires provision of 2 parking spaces for each dwelling unit in single detached dwellings, mobile homes, duplexes, semi-detached dwellings and row housing where each unit fronts on a public street and has its own garage and driveway. 1.25 parking spaces are required for all other dwellings.

The ratio of 1.25 parking spaces per unit in Belleville and Sidney and 2 parking spaces per unit in Thurlow is significantly higher than the parking ratios for the housing developments discussed in Peterborough and Ottawa. The table below shows how many parking spaces would have been required for these developments using the existing bylaws in Belleville, Sidney, and Thurlow.

If similar developments were proposed in Belleville, existing parking requirements would add significant land cost because a larger site would be needed to meet the parking requirements.

Development	Current # of Parking Stalls	# of Parking Stalls Required (Belleville)	# of Parking Stalls Required (Sidney)	# of Parking Stalls Required (Thurlow)
Peterborough	19	35	35	70
Ottawa - City Core	8	33	33	66
Ottawa - Suburban	81	123	123	246

Guidelines for Granting Parking Variances for Affordable Rental Housing

These guidelines are designed to provide guidance on both purpose built affordable rental housing (i.e., below market rental rates) and other types of market housing that may contribute to the supply of affordable housing such as conversions, purpose built market rental housing, and secondary dwelling units.

Below Average Market and Average Market Purpose Built Medium and High Density Rental Housing

High parking ratios have the effect of increasing the cost of dwelling units. Surface parking stalls constrain the area available for constructing housing units. Structured parking, such as underground or above-ground parking, is very expensive and increases the per unit construction cost significantly. Therefore, the City of Belleville should consider the following guidelines in an effort to incentivize purpose built affordable rental housing:

- Grant a variance to medium and high density affordable rental housing that achieves between 0.5 – 0.75 parking spaces per unit **in walkable and transit accessible neighbourhoods**, which would bring the number of parking spaces in Belleville closer to the parking provided in the case studies.
 - Walkable neighbourhoods should be defined as neighbourhoods that have amenities that may meet the daily needs of a tenant within a 5 to 10 minute walk (400 – 800 metre radius) of the proposed development. Amenities considered to meet daily needs could include grocery stores, schools, community facilities, and retail plazas that include businesses that carry food products;
 - Transit accessible neighbourhoods are neighbourhoods that offer transit within a 5 to 10 minute walk (400 – 800 metre radius) of the proposed development; and,
- In neighbourhoods that are less walkable (more than 800 metres to amenities) and less transit accessible (more than 800 metres to transit), parking variances should be granted at a ratio that achieves between 0.75 – 1 parking spaces per unit.

Second Units

As mentioned, second unit dwellings are not necessarily below market housing, however, they can provide a more affordable rental option for people that cannot afford to rent a larger home, since second units are typically modest in size. Currently, second units in the City of Belleville are required to have their own on-site parking space. As shown in the case study section of this document, other municipalities have reduced parking requirements depending on factors such as location. The City should consider the following for parking variances for second units:

No additional on-site parking requirement for a second unit meeting the following site criteria:

- Located in walkable (5-10 minute walk of amenities) neighbourhoods; **OR,**
- Located in transit accessible areas (5-10 minute walk to high frequency transit); **AND,**
- Where street parking is permitted on at least one side of the street to accommodate visitors.

Conclusion

This document deals primarily with reducing parking requirements for affordable rental housing when variances are being sought at the Committee of Adjustment. However, it should be noted that parking requirements must be considered in combination with other factors. Land use and transportation are intrinsically linked together. Therefore, considerations of reductions in parking requirements should be linked to improvement in mobility options for all residents. Improving public transit, walking infrastructure, and cycling infrastructure can lessen the need for private motor vehicle ownership.

Additionally, people living in employment rich and amenity rich locations typically rely less on private motor vehicles for their transportation needs. Therefore, the City of Belleville should attempt to locate more affordable housing close to employment centres and amenities.

The guidelines in this document should be viewed as an interim measure until the Zoning By-law consolidation and update is concluded. The Zoning By-law update should incorporate similar changes to on-site parking requirements to reflect contemporary mobility patterns and better match parking supply to demand and need.

MINUTES OF THE REGULAR MEETING OF THE BELLEVILLE COMMITTEE OF ADJUSTMENT HELD FEBRUARY 20, 2020 AT 3:30 P.M., IN THE COUNCIL CHAMBER, 4TH FLOOR, CITY HALL

MEMBERS PRESENT: Mr. Brian Miller, Chair
Mr. Robert Kranendonk
Mr. Glenn May-Anderson
Ms. Carol Merrill
Mr. Chris Ripley
Ms. Susan Smith

NOT IN ATTENDANCE: Councillor Pat Culhane
Councillor Bill Sandison

STAFF PRESENT: Mr. Greg Pinchin, Secretary, Committee of Adjustment
Mr. Andrew Chan, Policy Planner

1. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

2. WELCOME FROM CHAIRMAN & OPENING REMARKS

3. HEARING AND DECISION OF APPLICATIONS

- a) Application A 2/20 Application for Minor Variance
 128 Black Diamond Road
 Owner: Yvon Lachapelle

Yvon Lachapelle was present to represent the application. No one else spoke about the application.

Correspondence

Comments from the Manager of Approvals, Development Technologist and Principal Planner were before the Committee.

DECISION

Moved by Ms. Smith
Seconded by Ms. Merrill

THAT the Decision Approving Application A 2/20 be incorporated and adopted as part of the Minutes of the Meeting.

- CARRIED -

- b) Application A 3/20 Application for Minor Variance
 17 Liddle Lane
 Owner: William MacDonald

The owners were in attendance to ask that they be permitted to keep the driveway as it is. Committee members noted that the only comment received in opposition cited the use of the property for a home occupation, but did not address concerns over driveway width. In response to questions from the Committee the owners confirmed that the property was no longer being used for a home occupation. The owners provided a copy of a petition in

support of their request signed by 49 nearby residents. No one else spoke about the application.

Correspondence

Comments from the Manager of Approvals, Chief Building Official, Development Technologist and Principal Planner were before the Committee.

DECISION

Moved by Mr. Kranendonk
Seconded by Ms. Merrill

THAT the Decision Approving Application A 3/20 be incorporated and adopted as part of the Minutes of the Meeting.

- CARRIED -

- c) Application A 4/20 & B 6/20 Application for Minor Variance & Severance
76 & 78 Everett Street
Owner: Rev Mark Sullivan, Belleville Wesleyan Church
Agent: Keith Watson, Watson Land Surveyors Ltd.

Keith Watson was in attendance to represent the application. He explained that the church building requires a lot addition from the property to the south because they were under common ownership at the time that church additions were built and that the church building now crosses the southern lot line and encroaches on the neighbouring property. The minor variance is further necessary because the existing buildings will not meet the required zoning by-law yard setbacks from the newly proposed lot line. No one else spoke about the application.

Correspondence

Comments from the Manager of Approvals and Development Technologist were before the Committee.

DECISION

Moved by Mr. May-Anderson
Seconded by Ms. Smith

THAT the Decision Approving Application A 4/20 & B 6/20 be incorporated and adopted as part of the Minutes of the Meeting.

- CARRIED -

- d) Application A 5/20 Application for Minor Variance
15 Sharpes Lane
Owner: Cathie Bertelink

Cathie Bertelink was in attendance to represent the application. She noted that they have met with Quinte Conservation and agree to update their engineering report to confirm the suitability of the location for the conservation authority. No one else spoke about the application.

Correspondence

Comments from the Manager of Approvals, Development Technologist, Principal Planner and Quinte Conservation were before the Committee.

DECISION

Moved by Ms. Merrill
Seconded by Mr. Kranendonk

THAT the Decision Approving Application A 5/20 be incorporated and adopted as part of the Minutes of the Meeting.

- CARRIED -

- e) Application B 5/20 Application for Severance
 247 Harmony Road
 Owner: Marlene MacKenzie
 Agent: Keith Watson, Watson Land Surveyors

Keith was in attendance to represent the application. No one else spoke about the application.

Correspondence

Comments from the Manager of Approvals and Development Technologist were before the Committee.

DECISION

Moved by Ms. Smith
Seconded by Mr. Ripley

THAT the Decision Approving Application B 5/20 be incorporated and adopted as part of the Minutes of the Meeting with the removal of conditions relating to an existing well and septic system.

- CARRIED -

- f) Application B 7/20 Application for Severance
 60 & 62 Octavia Street
 Owner: Shawn Legere

Shawn Legere was in attendance to represent his application.

He thanked the committee; he has no issues with the staff recommendations. However, would like to discuss the road widening, as it is an existing built up area where other dwellings are as close to the street as his. The committee discussed the matter and agreed to remove the condition for road widening. No one else spoke about the application.

Correspondence

Comments from the Manager of Approvals, Development Technologist and Principal Planner were before the Committee.

DECISION

Moved by Mr. May-Anderson
Seconded by Ms. Smith

THAT the Decision Approving Application B 7/20 be incorporated and adopted as part of the Minutes of the Meeting, with no requirement for road widening.

- CARRIED -

g) Application B 8/20

Application for Severance
1243 Zion Road
Owner: Brian & Andrea Sills, Darlene & Jeffrey Sills
Agent: Keith Watson, Watson Land Surveyors

Keith Watson was in attendance to represent the application. No one else spoke about the application.

Correspondence

Comments from the Manager of Approvals and Development Technologist were before the Committee.

DECISION

Moved by Mr. May-Anderson
Seconded by Mr. Kranendonk

THAT the Decision Approving Application B 8/20 be incorporated and adopted as part of the Minutes of the Meeting with the removal of conditions relating to an existing well and septic system.

- CARRIED -

4. GENERAL BUSINESS

Confirmation of the Minutes of the regular meeting of the Belleville Committee of Adjustment held on January 16, 2020.

DECISIONS

Moved by Ms. Smith
Seconded by Mr. Ripley

THAT the Minutes of the Belleville Committee of Adjustment regular meeting held on January 16, 2020 be received and adopted.

- CARRIED -

5. CORRESPONDENCE

6. OTHER BUSINESS

Code of Conduct was emailed and printed for committee members. It was noted that there are quite a few pages.

7. NEXT MEETING

The next meeting for the Committee of Adjustment will be held Thursday, March 19, 2020.

Property Standards Meeting will be at 3:00 p.m., where appeal PS 1/20 for 222 Moira Street East will be heard.

8. ADJOURNMENT

Moved by Mr. Ripley
Seconded by Ms. Merrill

THAT the meeting be adjourned at 4:06 p.m.

- CARRIED -

SECRETARY-TREASURER

CHAIR

DECISION

of the

BELLEVILLE COMMITTEE OF ADJUSTMENT

Belleville, Ontario
Date: February 20, 2020
File: A 2/20

RE: Minor Variance
128 Black Diamond Road
Owner: Yvon Lachapelle

The Belleville Committee of Adjustment has reached the following decision:

THAT the application requesting relief from the RR – Rural Residential Zone of By-Law No. 3014, as amended,

to construct a detached accessory building (garage) with a building height of 5.33m instead of the maximum 5.0m, and a maximum lot coverage for accessory buildings of 5.63% instead of the maximum 5%;

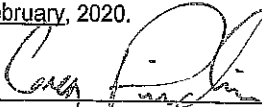
which parcels are shown on the sketch which accompanied the application;

BE APPROVED

The Committee concluded that with respect to Section 45 (1) of the *Planning Act*, as amended:

1. City Staff and Agencies offered no objection to the application.
2. The Committee concluded that with respect to Section 45 (1) of the *Planning Act*, as amended:
 - (a) The variance is minor;
 - (b) The general intent and purpose of the Official Plan and relevant Zoning By-law are being maintained;
 - (c) In the Committee's opinion, the variance is desirable for the appropriate development or use of land, building or structure.

Certified a true and correct copy of the Decision of the Belleville Committee of Adjustment with respect to Application Number A 2/20 passed at a meeting of the said Committee held on the 20th day of February, 2020.



SECRETARY-TREASURER

Members of the Committee present who concur in the above decision:

(Sgd.) B. Miller _____

(Sgd.) R. Kranendonk _____

(Sgd.) G. May-Anderson _____

(Sgd.) C. Merrill _____

(Sgd.) C. Ripley _____

(Sgd.) S. Smith _____

DECISION

of the

BELLEVILLE COMMITTEE OF ADJUSTMENT

Belleville, Ontario
Date: February 20, 2020
File: A 3/20

RE: Minor Variance
17 Liddle Lane
Owner: William MacDonald

The Belleville Committee of Adjustment has reached the following decision:

THAT the application requesting relief from the R2 – Residential Second Density Zone of By-Law No. 10245, as amended, to leave the existing asphalt driveway as it is.

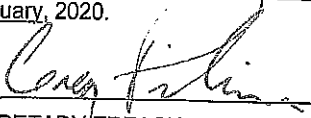
Having a width of 10.89m at the front lot line instead of the maximum 9.0m, and covering up to 85% of the front yard instead of the maximum 50%.

BE APPROVED

The Committee concluded that with respect to Section 45 (1) of the *Planning Act*, as amended:

1. Public comments in opposition to the application related to the use of the property for a business, and not to the variance for size of the existing driveway.
2. The Committee concluded that with respect to Section 45 (1) of the *Planning Act*, as amended:
 - (a) The variance is minor;
 - (b) The general intent and purpose of the Official Plan and relevant Zoning By-law are being maintained;
 - (c) In the Committee's opinion, the variance is desirable for the appropriate development or use of land, building or structure.

Certified a true and correct copy of the Decision of the Belleville Committee of Adjustment with respect to Application Number A 3/20 passed at a meeting of the said Committee held on the 20th day of February, 2020.



SECRETARY-TREASURER

Members of the Committee present who concur in the above decision:

(Sgd.) B. Miller _____

(Sgd.) R. Kranendonk _____

(Sgd.) G. May-Anderson _____

(Sgd.) C. Merrill _____

(Sgd.) C. Ripley _____

(Sgd.) S. Smith _____

DECISION

of the

BELLEVILLE COMMITTEE OF ADJUSTMENT

Belleville, Ontario
Date: February 20, 2020
File: A 4/20

RE: Minor Variance
76 & 78 Everett Street
Owner: Rev. Mark Sullivan, Belleville Wesleyan Church
Agent: Keith Watson, Watson Land Surveyors Ltd.

The Belleville Committee of Adjustment has reached the following decision:

THAT the application requesting relief from the R4 Zone of By-Law No. 10245, as amended, to recognize reduced interior side yard setbacks from the adjusted lot line with a minimum accessory building side yard setback of 0.3 m instead of the required 1.0 m under the provisions of the R4 zone for the property at 76 Everett Street; and a minimum side yard setback of 0.8 m to the existing building and nil to the existing stoop for the property at 78 Everett Street;

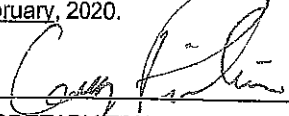
which parcels are shown on the sketch which accompanied the application;

BE APPROVED

The Committee concluded that with respect to Section 45 (1) of the *Planning Act*, as amended:

1. City Staff and Agencies offered no objection to the application.
2. The Committee concluded that with respect to Section 45 (1) of the *Planning Act*, as amended:
 - (a) The variance is minor;
 - (b) The general intent and purpose of the Official Plan and relevant Zoning By-law are being maintained;
 - (c) In the Committee's opinion, the variance is desirable for the appropriate development or use of land, building or structure.

Certified a true and correct copy of the Decision of the Belleville Committee of Adjustment with respect to Application Number A 4/20 passed at a meeting of the said Committee held on the 20th day of February, 2020.



SECRETARY-TREASURER

Members of the Committee present who concur in the above decision:

(Sgd.) B. Miller

(Sgd.) R. Kranendonk

(Sgd.) G. May-Anderson

(Sgd.) C. Merrill

(Sgd.) C. Ripley

(Sgd.) S. Smith

DECISION

of the

BELLEVILLE COMMITTEE OF ADJUSTMENT

Belleville, Ontario
Date: February 20, 2020
File: A 5/20

RE: Minor Variance
15 Sharpes Lane
Owner: Cathie Bertelink

The Belleville Committee of Adjustment has reached the following decision:

THAT the application requesting relief from the RR – Rural Residential Zone of By-Law No. 3014, as amended,

to construct a second detached storage garage on the subject property that would have a front yard setback of approximately 150 feet and be closer to the road than the main dwelling and the existing detached garage;

which parcels are shown on the sketch which accompanied the application;

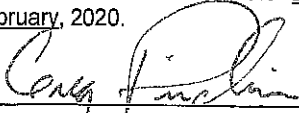
BE APPROVED

subject to review and approval of the plans by Quinte Conservation.

The Committee concluded that with respect to Section 45 (1) of the *Planning Act*, as amended:

1. City Staff and Agencies offered no objection to the application.
2. The Committee concluded that with respect to Section 45 (1) of the *Planning Act*, as amended:
 - (a) The variance is minor;
 - (b) The general intent and purpose of the Official Plan and relevant Zoning By-law are being maintained;
 - (c) In the Committee's opinion, the variance is desirable for the appropriate development or use of land, building or structure.

Certified a true and correct copy of the Decision of the Belleville Committee of Adjustment with respect to Application Number A 5/20 passed at a meeting of the said Committee held on the 20th day of February, 2020.



SECRETARY-TREASURER

Members of the Committee present who concur in the above decision:

(Sgd.) B. Miller

(Sgd.) R. Kranendonk

(Sgd.) G. May-Anderson

(Sgd.) C. Merrill

(Sgd.) C. Ripley

(Sgd.) S. Smith

DECISION

of the

BELLEVILLE COMMITTEE OF ADJUSTMENT

Belleville, Ontario
Date: February 20, 2020
File: B 5/20

RE: Land Severance
247 Harmony Road
Owner: Marlene MacKenzie
Agent: Keith Watson, Watson Land Surveyors

The Belleville Committee of Adjustment has reached the following decision:

THAT the Committee gives its consent to the separation and conveyance of part of the property municipally known as 247 Harmony Road;

to sever the subject lands to consolidate the approximately 9.4 ha severed parcel with the horse farm to the east. In doing so, a retained parcel with a lot frontage of approximately 44.5 m and a lot area of approximately 0.4 ha containing an existing single detached dwelling house, shed/carport and surplus barn would be created;

Retained Parcel: frontage: ≈44.5 metres
area: ≈0.4 hectares

Severed Parcel: frontage: nil
area: ≈9.4 hectares

the said parcel of land being within the PA – Prime Agriculture Zone of By-law 3014, as amended;
and is that parcel outlined on the sketch which accompanied the application.

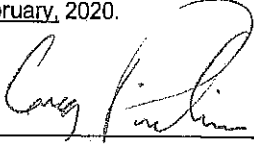
The conveyance of the above-described parcel of land being subject to and provided that:

- (a) The financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property be satisfied;
- (b) the retained parcel is rezoned to an appropriate rural residential zone that recognizes the existing vacant accessory building, and any deficiencies in lot frontage or lot area;
- (c) the applicant deeding (conveying) to the City free of encumbrance a strip of land across the frontage of the retained parcel to widen Harmony Road to a width of 13 metres from the centreline of the Harmony Road road allowance;
- (d) the severed parcel be deeded as a lot addition to the adjoining property to the east, and that Subsection 50(3) and (5) of the Planning Act, as the case may be, applies to any subsequent conveyance of or transaction involving the parcel of land that subject to this consent;
- (e) The necessary deeds to be submitted in triplicate, along with one digital copy and one paper copy of a deposited plan of survey (R-plan) or a legal description acceptable to the Registrar of Deeds, and Conditions (a) to (d) inclusive be fulfilled prior to the issuance of the Consent Certificate;
- (f) Conditions (a) to (e) inclusive be fulfilled prior to the 20th day of February, 2021.

The Decision has been made for the following reasons:

1. City Staff and Agencies circulated this application offered no objection to the consent.
2. The Committee of Adjustment was satisfied that a Plan of Subdivision, under Section 51 of the *Planning Act*, as amended, of the land described in the application is not necessary for the proper and orderly development of the Municipality.
3. In considering the application, the Committee had regard to all items listed in Subsection 51(24) of the *Planning Act*, as amended, and felt that granting Consent to the application subject to the above conditions should not prejudice the public interest.

Decision of the Belleville Committee of Adjustment with respect to Application Number B 5/20 passed at a meeting of the said Committee held on the 20th day of February, 2020.



SECRETARY-TREASURER

Members of the Committee present who concur in the above decision:

(Sgd.) B. Miller _____

(Sgd.) R. Kranendonk _____

(Sgd.) G. May-Anderson _____

(Sgd.) C. Merrill _____

(Sgd.) C. Ripley _____

(Sgd.) S. Smith _____

DECISION

of the

BELLEVILLE COMMITTEE OF ADJUSTMENT

Belleville, Ontario
Date: February 20, 2020
File: B 6/20

RE: Land Severance
76 & 78 Everett Street
Owner: Rev Mark Sullivan, Belleville Wesleyan Church
Agent: Keith Watson, Watson Land Surveyors

The Belleville Committee of Adjustment has reached the following decision:

THAT the Committee gives its consent to the separation and conveyance of part of the property municipally known as 76 & 78 Everett Street;

to sever a portion of 76 Everett Street to be added onto the property at 78 Everett Street – the portion to be severed has an average width of 1.0 m, an average depth of 30.0 m, and an approximate area of 38 m², and has been developed with a portion of the existing church building and stoop at 78 Everett Street;

Lot Addition: frontage: 1.0m
area: 38 m²

Retained Parcel: frontage: 14.24 m
area: 425 m²

the said parcel of land being within the R4 – Residential Fourth Density Zone of By-law 10245, as amended;

and is that parcel outlined on the sketch which accompanied the application.

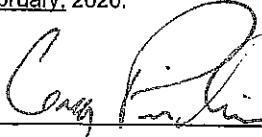
The conveyance of the above-described parcel of land being subject to and provided that:

- (a) The financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property be satisfied;
- (b) Approval of minor variance application A 4/20 or an equivalent planning application to recognize interior side yards from the newly created lot line;
- (c) Severed parcel be deeded as a lot addition to the adjoining property to the north, and that Subsection 50(3) and (5) of the Planning Act, as the case may be, applies to any subsequent conveyance of or transaction involving the parcel of land that subject to this consent;
- (d) The necessary deeds to be submitted in triplicate, along with one digital copy and one paper copy of a deposited plan of survey (R-plan) or a legal description acceptable to the Registrar of Deeds, and Conditions (a) to (c) inclusive be fulfilled prior to the issuance of the Consent Certificate;
- (d) Conditions (a) to (d) inclusive be fulfilled prior to the 20th day of February, 2021.

The Decision has been made for the following reasons:

1. City Staff and Agencies circulated this application offered no objection to the consent.
2. The Committee of Adjustment was satisfied that a Plan of Subdivision, under Section 51 of the *Planning Act*, as amended, of the land described in the application is not necessary for the proper and orderly development of the Municipality.
3. In considering the application, the Committee had regard to all items listed in Subsection 51(24) of the *Planning Act*, as amended, and felt that granting Consent to the application subject to the above conditions should not prejudice the public interest.

Decision of the Belleville Committee of Adjustment with respect to Application Number B 6/20 passed at a meeting of the said Committee held on the 20th day of February, 2020.



 SECRETARY-TREASURER

Members of the Committee present who concur in the above decision:

(Sgd.) B. Miller _____

(Sgd.) R. Kranendonk _____

(Sgd.) G. May-Anderson _____

(Sgd.) C. Merrill _____

(Sgd.) C. Ripley _____

(Sgd.) S. Smith _____

DECISION

of the

BELLEVILLE COMMITTEE OF ADJUSTMENT

Belleville, Ontario
Date: February 20, 2020
File: B 7/20

RE: Land Severance
60 & 62 Octavia Street
Owner: Shawn Legere

The Belleville Committee of Adjustment has reached the following decision:

THAT the Committee gives its consent to the separation and conveyance of part of the property municipally known as 60 & 62 Octavia Street;

to sever the subject lands to create two separate lots, on each of which would be located a semi-detached dwelling unit, with a lot frontages of approximately 12.8 m and 13.1 m respectively, on the west side of Octavia Street and lot areas of approximately 730.7 m² and 517.4 m² respectively;

Severed Parcel: frontage: 12.8 m
 area: 730.7 m²

Retained Parcel: frontage: 13.1 m
 area: 517.4 m²

the said parcel of land being within the R4 – Residential Fourth Density Zone of By-law 10245, as amended;

and is that parcel outlined on the sketch which accompanied the application.

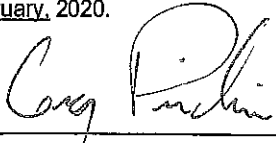
The conveyance of the above-described parcel of land being subject to and provided that:

- (a) The financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property be satisfied;
- (b) Both the severed and retained parcels to be independently connected to Municipal services;
- (c) The necessary deeds to be submitted in triplicate, along with one digital copy and one paper copy of a deposited plan of survey (R-plan) or a legal description acceptable to the Registrar of Deeds, and Conditions (a) and (b) inclusive be fulfilled prior to the issuance of the Consent Certificate;
- (d) Conditions (a) to (c) inclusive be fulfilled prior to the 20th day of February, 2021.

The Decision has been made for the following reasons:

1. City Staff and Agencies circulated this application offered no objection to the consent.
2. The Committee of Adjustment was satisfied that a Plan of Subdivision, under Section 51 of the *Planning Act*, as amended, of the land described in the application is not necessary for the proper and orderly development of the Municipality.
3. In considering the application, the Committee had regard to all items listed in Subsection 51(24) of the *Planning Act*, as amended, and felt that granting Consent to the application subject to the above conditions should not prejudice the public interest.

Decision of the Belleville Committee of Adjustment with respect to Application Number B 7/20 passed at a meeting of the said Committee held on the 20th day of February, 2020.



SECRETARY-TREASURER

Members of the Committee present who concur in the above decision:

(Sgd.) B. Miller

(Sgd.) R. Kranendonk

(Sgd.) G. May-Anderson

(Sgd.) C. Merrill

(Sgd.) C. Ripley

(Sgd.) S. Smith

DECISION

of the

BELLEVILLE COMMITTEE OF ADJUSTMENT

Belleville, Ontario

Date: February 20, 2020

File: B 8/20

RE: Land Severance
1243 Zion Road

Owner: Brian & Andrea Sills, Darlene & Jeffrey Sills

Agent: Keith Watson, Watson Land Surveyors

The Belleville Committee of Adjustment has reached the following decision:

THAT the Committee gives its consent to the separation and conveyance of part of the property municipally known as 1243 Zion Road;

to sever the subject lands to dispose of a surplus farm dwelling while consolidating the retained parcel with a nearby farming operation, and to create a 5.0 m wide right-of-way from the newly created lot across the retained lands for the underground water line to the existing well. In doing so, a severed parcel with a lot frontage of approximately 45.0 m and a lot area of 0.4 ha containing an existing single detached dwelling house and garage would be created;

Retained Parcel: frontage: ≈285 metres
area: ≈37.5 hectares

Severed Parcel: frontage: ≈45.0 metres
area: ≈0.4 hectare

Right-of-Way: width: ≈5.0 metres
length: ≈61.0 metres
area: ≈300 m²
proposed use: buried water line and existing well

the said parcel of land being within the PA – Prime Agriculture Zone of By-law 3014, as amended;

and is that parcel outlined on the sketch which accompanied the application.

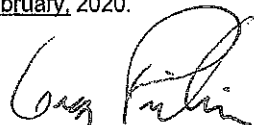
The conveyance of the above-described parcel of land being subject to and provided that:

- (a) The financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property be satisfied;
- (b) the retained parcel is rezoned to an appropriate agricultural zone that prohibits any residential development on this parcel of land;
- (c) the severed parcel is rezoned to an appropriate rural residential zone;
- (d) the applicant deeding (conveying) to the City free of encumbrance a strip of land across the frontage of the severed and retained parcels to widen Zion road to a width of 10 metres from the centreline of the Zion Road road allowance;
- (e) The necessary deeds to be submitted in triplicate, along with one digital copy and one paper copy of a deposited plan of survey (R-plan) or a legal description acceptable to the Registrar of Deeds, and Conditions (a) to (d) inclusive be fulfilled prior to the issuance of the Consent Certificate;
- (f) Conditions (a) to (e) inclusive be fulfilled prior to the 20th day of February, 2021.

The Decision has been made for the following reasons:

1. City Staff and Agencies circulated this application offered no objection to the consent.
2. The Committee of Adjustment was satisfied that a Plan of Subdivision, under Section 51 of the *Planning Act*, as amended, of the land described in the application is not necessary for the proper and orderly development of the Municipality.
3. In considering the application, the Committee had regard to all items listed in Subsection 51(24) of the *Planning Act*, as amended, and felt that granting Consent to the application subject to the above conditions should not prejudice the public interest.

Decision of the Belleville Committee of Adjustment with respect to Application Number B 8/20 passed at a meeting of the said Committee held on the 20th day of February, 2020.



 SECRETARY-TREASURER

Members of the Committee present who concur in the above decision:

(Sgd.) B. Miller

(Sgd.) R. Kranendonk

(Sgd.) G. May-Anderson

(Sgd.) C. Merrill

(Sgd.) C. Ripley

(Sgd.) S. Smith
