

A 10/14
40 HANNA CT

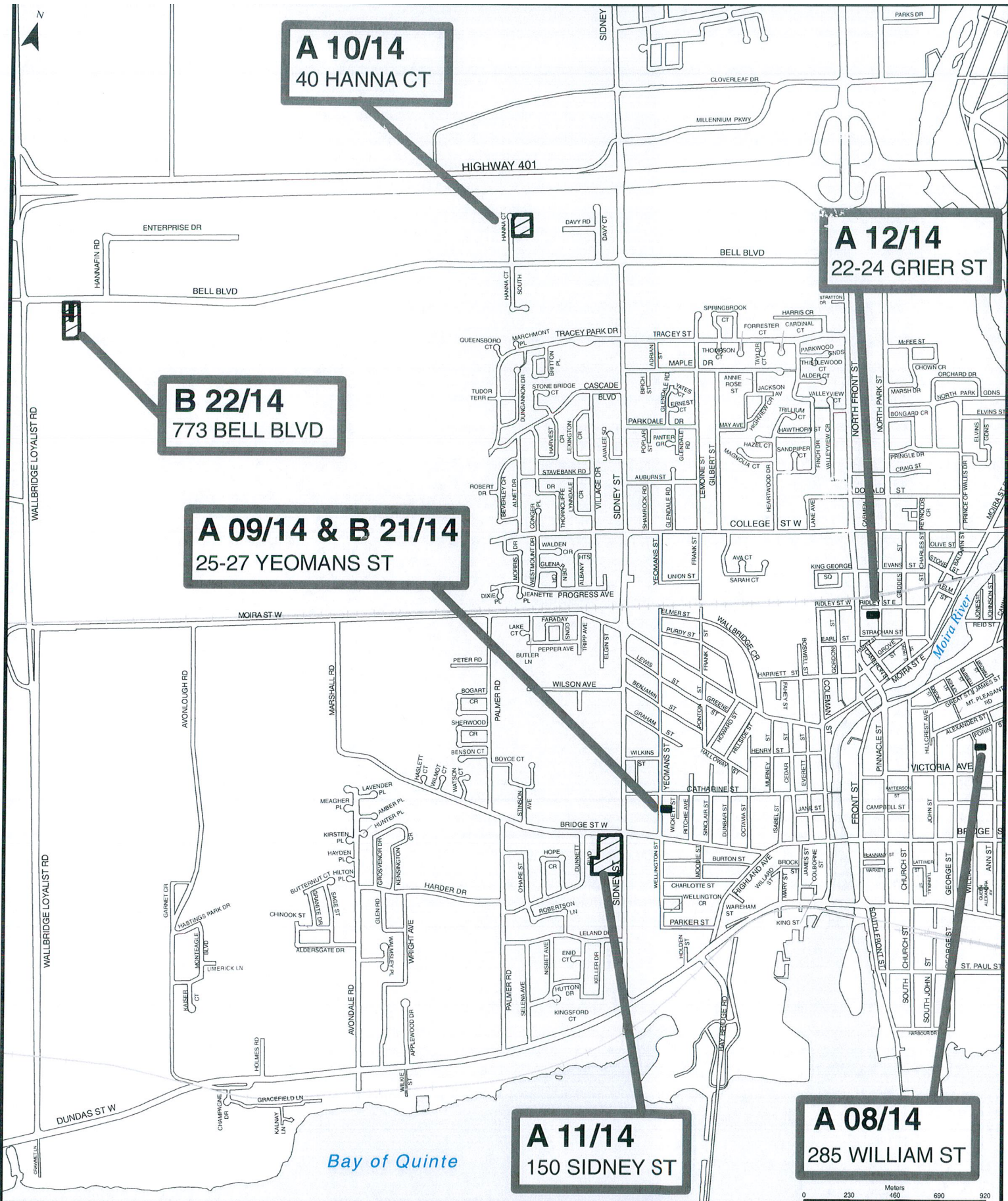
A 12/14
22-24 GRIER ST

B 22/14
773 BELL BLVD

A 09/14 & B 21/14
25-27 YEOMANS ST

A 11/14
150 SIDNEY ST

A 08/14
285 WILLIAM ST



Committee of Adjustment Location Map



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT
JULY 10, 2014

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

TAKE NOTICE that the City of Belleville Committee of Adjustment will hold a meeting on **Thursday July 10, 2014 at 3:30 p.m.** in the **Council Chamber**, Fourth Floor, Belleville City Hall, 169 Front Street, Belleville to consider an application under Section 45 of the Planning Act, submitted by RFA Planning Consultant Inc., Agent for Nick Mitchell.

This application is to allow a two-unit dwelling on the property municipally known as 285 William Street. This property is zoned R4 – Residential Fourth Zone which permits a two-unit dwelling. No new construction is planned to the existing building on the property.

However, the applicant needs the following variances to be formally recognized:

- minimum lot frontage from 18.0 metres to 14.5 metres;
- minimum lot line from 18.0 metres to 14.5 metres;
- minimum lot area from 674m² to 604.3m²;
- minimum interior side yard setback from 2.4 metres to 1.6 metres;
- minimum gross floor area per unit from 83.5m² to 65m²;
- maximum lot coverage from 35% to 40%.

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

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

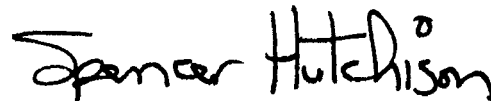
Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to this application or you may be represented by counsel for that purpose.

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

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

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

Dated this 19th day of June, 2014



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

SITE PLAN

NOX MITCHELL
 285 WILLIAM STREET
 PART OF LOT 2A, EAST OF WILLIAM STREET
 AND SOUTH OF BELLEFLEUR STREET
 CITY OF BELLEVILLE,
 COUNTY OF HASTINGS

SCALE = 1:200 METRIC



**ZONING BY-LAW 10245 - 'R4' ZONE
 PART G, SECTION 4**

PROVISION FOR DUPLEX DWELLING	REQD.	ACTUAL
(1) LOT FRONTAGE (m.m.)	18.0m	18.0m
(2) FRONT LOT LINE (m.m.)	16.5m	16.5m
(3) LOT AREA (m.m.)	674.0m ²	674.0m ²
(4) FRONT YARD DEPTH (m.m.)	3.6m	3.6m
(5) REAR YARD DEPTH (m.m.)	7.5m	14.8m
(6) MINIMUM FRONT YARD WIDTH (m.m.)	2.4m	2.4m
(7) GROSS FLOOR AREA (m.m./dwelling unit)	83.5m ²	83.5m ²
(8) LOT COVERAGE (m.m.)	10.6	10.6
(9) BUILDING HEIGHT (m.m.)	3.0m	3.1m
C-14, MIN. OFF-STREET PARKING (per proposed dwelling unit)	2	2
C-15, MIN. OFF-STREET PARKING (per proposed dwelling unit)	2	2

LAND USE SUMMARY

AREA (m ²)	AREA (%)
DUPLEX VERANDA & GARAGE	13.2
LANDSCAPED AREA	187.7
TOTAL SITE AREA	604.3m ²
	100.0%

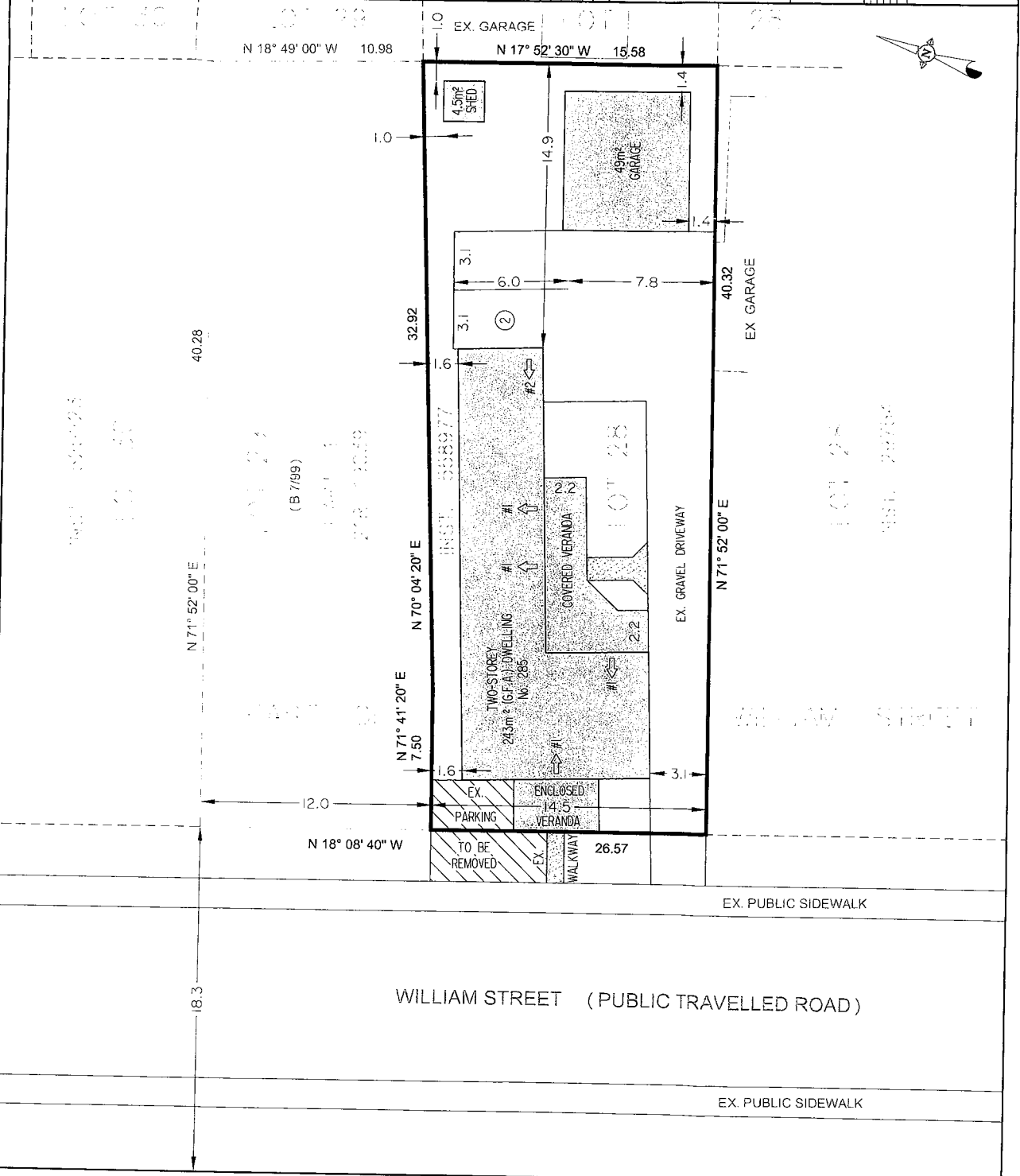
- LEGEND**
- EXISTING BUILDING FOOTPRINT
 - EXISTING/PROPOSED LANDSCAPED AREA
 - EXISTING WALKWAY
 - EXISTING DRIVEWAY & PARKING AREA
 - INDEPENDENT ENTRANCE TO EACH UNIT

NOTE:
 CHARTER PREPARED USING DATA FROM MAP, N-22-96 WILLIAM STREET AND SURROUNDING AREAS, PROPERTY REPORT, PART A - PLAN OF SURVEY BY WATSON AND SURVEYORS LTD. DATED JANUARY 26, 1999 AND PLAN 20R-19039

DATE BY: TL	DATE: 02-11-2014	SCALE: 1:200
DATE BY: P.A.	DATE: 02-11-2014	SCALE: 1:200



JUN 02 2014



**MINOR VARIANCE APPLICATION REVIEW
City of Belleville**

Date: **July 2, 2014**

File No.: **A 08/14**

Location: **285 William Street**

Applicant: **RFA Planning Consultants**

Proposal: To permit a 2-unit converted dwelling on the property at 285 William Street with the following variances:

- minimum lot area from 674m² to 604.3m²;
- minimum interior side yard setback from 2.4 metres to 1.6 metres;
- maximum lot coverage from 35% to 40%.

Official Plan:

Current Designation: Residential Land Use

Permitted Uses: a range of residential land uses including a 2-unit converted dwelling

Zoning By-law 10245:

Current Zoning: R4 Zone

Permitted Uses: a range of low density residential uses including a converted dwelling

Proposed Use: 2-unit converted dwelling

Requirements:

- minimum lot area 674m²
- minimum interior
side yard setback 2.4 metres;
- maximum lot coverage 35%.

Comments:

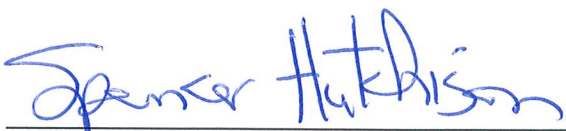
1. there is an older existing 2-storey building on the subject property that has been used in the past for 2 or 3 dwelling units;
2. according to the 1976 Assessment Roll, there was only 1 dwelling unit assessed on this property (ie: a single detached dwelling);

3. there is no expansion or addition planned to the existing building on the subject property;
4. the applicant wishes to have the 3 existing minor variances legally recognized so this property could be legally used as a 2-unit converted dwelling;
5. the subject property is located in an older section of Belleville where there has been significant intensification and the creation of multi-unit properties;
6. the Provincial Policy Statement (PPS) supports residential infill on full municipal services rather than utilizing greenfield sites which would provide a range of housing types and tenures;
7. Section 1.1.3.3 of the PPS states "Planning authorities shall identify and promote opportunities for *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs";
8. the City's Official Plan also promotes infill residential development;
9. Section 3.10.2 h) states "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.";
10. the variance for the reduced side yard setback is technical in nature in that the building currently has a deficiency and there is no proposed change to the building on the subject property; the building is not going to get closer to the property line whether there is 1 or 2 dwelling units on the property;
11. in summary, it is felt that the proposed variances meet the intent of the Official Plan and would allow for the appropriate development of the subject lands.

Conclusion:

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by RFA Planning Consultant Inc. to permit a 2-unit converted dwelling on the property at 285 William Street with the following variances:

- minimum lot area from 674m² to 604.3m²;
- minimum interior side yard setback from 2.4 metres to 1.6 metres;
- maximum lot coverage from 35% to 40%.



Spencer Hutchison
Manager of Approvals

MEMORANDUM

To: Spencer Hutchison
Manager, Approvals Section

From: Jeff Shortt,
Development Technologist

Date: June 27, 2014

Application No. A08/14

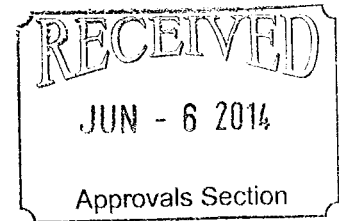
Regarding: Committee of Adjustment Variance Application A08/14
285 William Street, Belleville
OWNER: Nick Mitchell
AGENT: RFA Planning Consultant Inc.

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

We have no objection to this application.



Jeff Shortt C.E.T.



June 06, 2014

Committee of Adjustment
City of Belleville

Dear Committee Members:

**RE: Application for Minor Variance – Nick Mitchell, 285 William Street,
Belleville**

We have been retained by the owner of the above-noted property to review and submit an application for minor variance to permit a two-unit dwelling. The subject property is located on the east side of William Street, between Forin Street and Victoria Avenue. We have reviewed the Official Plan policies and zoning requirements, conducted a site visit and pre-consulted with the City's Development Services Department.

The property was subject to a consent approval by the Committee of Adjustment in 1999 (File No. B 7/99) to sever one (1) lot to the north. A dwelling has since been built on this new lot. The resulting lot has 14.5 metres of frontage on William Street. This portion of William Street is characterized by a mix of two-unit (duplex), three-unit (triplex) and fourplex dwellings, with some single-detached dwellings.

The existing dwelling on the subject property, like most in the vicinity, was constructed in 1863 and a garage was constructed in 2004 under permit. The existing dwelling has existed as either a two-unit or three-unit dwelling since its purchase by the current owner in 1999; it currently functions as a three-unit dwelling. The ground floor is divided into a 106 m² (1,141 ft²) one-bedroom unit; front/upper level as a 65 m² (700 ft²) one-bedroom unit; and rear/upper level as a 72 m² (775 ft²) two-bedroom unit. It is anticipated one private entrance from outside the building will need to be removed from the front/upper-level unit as a condition of variance approval to legalize the two-unit arrangement of the dwelling.

The property is designated "Residential" in the Official Plan, which permits low, medium and high densities, ranging in the form of single-detached to attached and multiple unit dwellings in freehold, rental, co-operative and condominium forms of ownership.

Current zoning of the subject property is "R4" Residential Fourth Density. While a duplex/two-unit dwelling is a permitted use in the R4 Zone, several deficiencies under the duplex provisions were created as a result of the construction of the garage in 2004, severance approval in 1999 or exist as legal non-conforming due to the age of the dwelling. Consultation with the Planning Department confirmed the noted deficiencies are minor in nature and support in principle was indicated for a minor variance application to permit a two-unit dwelling on the subject property. This can be classified as a two-unit dwelling due to the internal arrangement of the units in a more front/rear nature.

The external/internal arrangement of the property and dwelling are not proposed to change through this variance application as it currently functions as a three-unit dwelling. The only notable change will be removing an existing gravel parking space in the north-west corner of the property to be replaced with lawn. An assessment was undertaken in 2013 to determine compliance with the Ontario Fire Code and a letter of compliance was issued by the Fire Prevention Officer, Certified Fire/Explosion Investigator for up to a three-unit dwelling. The application for a two-unit dwelling meets or exceeds all other R4 zone requirements in Part G as well as parking requirements in Part C, Sections 14 and 15.

In consideration of the fact that the subject property has existed as a two-unit or three-unit dwelling since 1999, the proposed minor variance application to permit a two-unit dwelling will legalize an established use and compliment the multiple-unit dwellings present in the immediate vicinity. The application is consistent with the intent of the Official Plan and Zoning By-law, is minor in nature and is desirable for the appropriate development of the property.

If you have any questions or require further information please do not hesitate to contact me.

Yours truly,

Shawn Legere, BCD Hons., Urban Designer/Planner
RFA Planning Consultant Inc.

SL/rfa
Att.
Cc. Nick Mitchell



View from William Street (looking east).



View from rear parking area (looking west).



View from rear parking area (looking at Unit #2 entrance).



View from rear parking area (looking north).



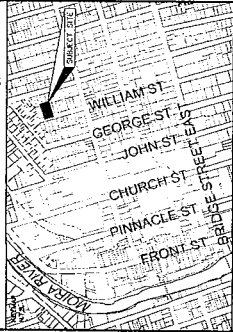
View from north side yard (looking west).



View from south side yard (looking west).

SITE PLAN

NOX MITCHELL
 285 WILLIAM STREET
 PART OF LOT 2A EAST OF WILLIAM STREET
 RECORDED PLANNING
 COUNTY OF HASTINGS
 SCALE = 1:200 METRIC



ZONING BY-LAW 10245 - "R4" ZONE
 PART G, SECTION 4

PROVISION FOR DUPLEX DWELLING	REQD	ACTUAL
(1) LOT FRONTAGE (m)	18.0m	18.0m
(2) FRONT LOT LINE (m)	16.5m	16.5m
(3) LOT AREA (m ²)	674.0m ²	684.0m ²
(4) FRONT YARD DEPTH (m)	3.6m	3.6m
(5) REAR YARD DEPTH (m)	7.5m	14.9m
(6) INFERENCE SIDE YARD W/DTH (m) (minimum each side)	2.4m	2.4m
(7) GROSS FLOOR AREA (m ² /dwelling unit)	83.5m ²	101.5m ²
(8) LOT COVERAGE (max.)	35.0%	35.0%
(9) BUILDING HEIGHT (m)	10.6	7.9m
(10) MIN. OFF-STREET PARKING	2	10 spaces
(11) MIN. WIDTH OF DRIVEWAY	3.0m	3.1m

* LEGAL NON-CONFORMING

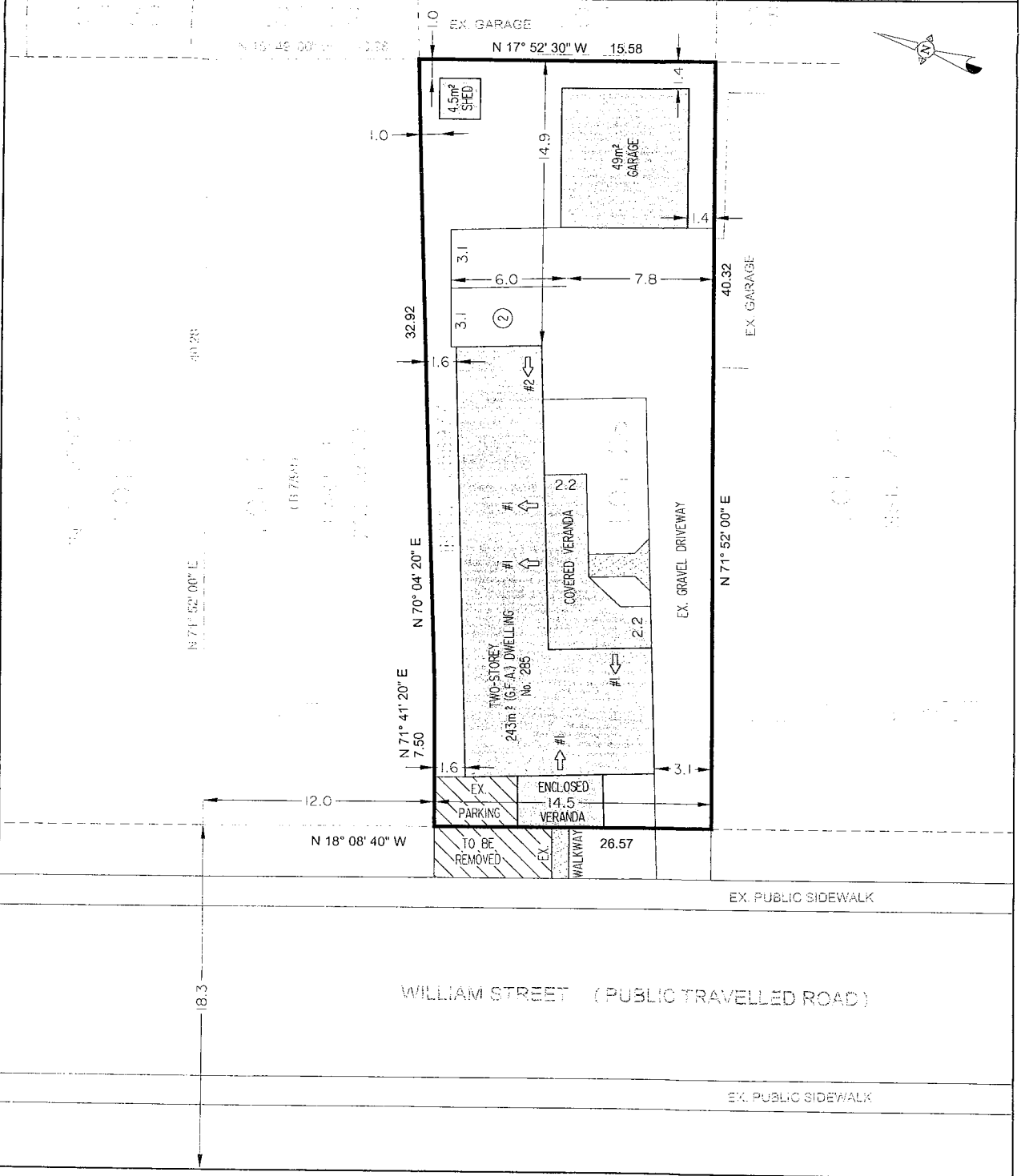
LAND USE	AREA (m ²)	AREA (%)
DUPLEX VERANDA & GARAGE	23.4	3.3
GRAVEL PARKING AREA	187.2	30.6
LANDSCAPED AREA	187.7	31.1
TOTAL SITE AREA	604.3m ²	100.0%

LEGEND

- EXISTING BUILDING FOOTPRINT
- EXISTING/PROPOSED LANDSCAPED AREA
- EXISTING WALKWAY
- EXISTING DRIVEWAY & PARKING AREA
- # INDEPENDENT ENTRANCE TO EACH UNIT

NOTE:
 DRAWING CREATED USING DATA FROM MAP N-22-55 WILLIAM STREET A SURVEYOR'S REAL PROPERTY REPORT PROPERTY REPORT, PART A - PLAN OF SURVEY BY WATSON LAND SURVEYORS LTD DATED JANUARY 26, 1999 AND PLAN 2R-199239

APR
 JUN. 02, 2014
 396 - SP



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

TAKE NOTICE that the City of Belleville Committee of Adjustment will hold a meeting on **Thursday July 10, 2014 at 3:30 p.m.** in the **Council Chambers**, Fourth Floor, Belleville City Hall, 169 Front Street, Belleville to consider an application under Section 45 of the Planning Act, submitted by St. Lawrence Pools Ltd., Agent for Vaughan Automotive & Appliances Ltd.

The subject property municipally known as 40 Hanna Court is zoned M1-2 – General Industrial Exception No. 2 Zone which permits a range of industrial uses including warehousing and a wholesale business. The applicant wishes to use a portion of the existing building on the subject property for retail uses. A retail outlet cannot occupy more than five (5) percent of the gross floor area of the main building or 93.0 sq. m., whichever is the lesser.

The applicant wishes to be able to use 25% of the gross floor area for a retail outlet.

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

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

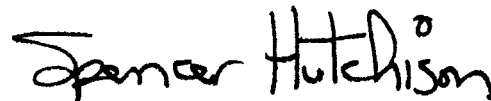
Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to this application or you may be represented by counsel for that purpose.

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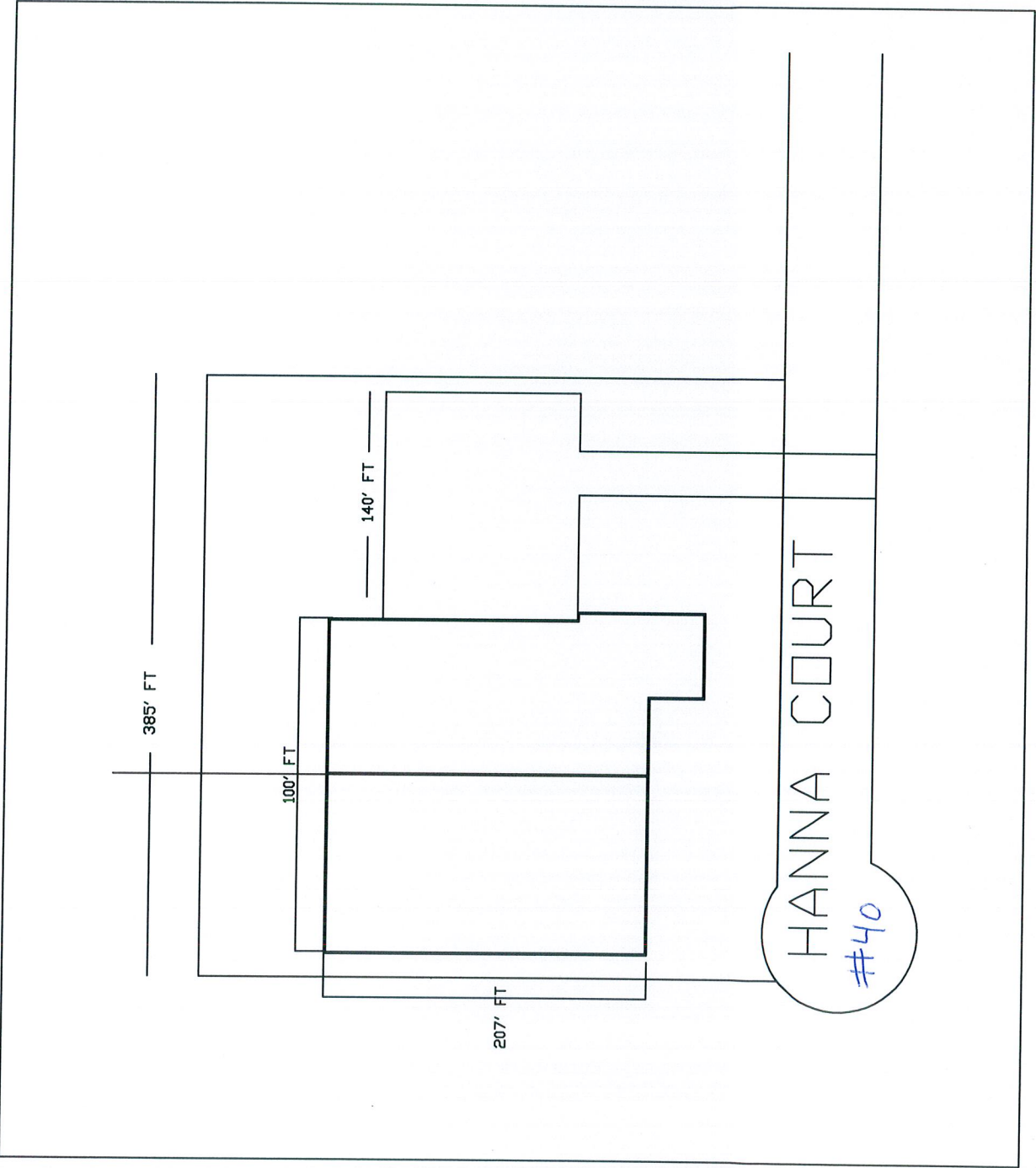
The lands subject to this application for a minor variance are **not** subject to any other type of planning application.

Dated this 19th day of June, 2014



Spencer Hutchison
Secretary-Treasurer
City of Belleville
Committee of Adjustment
169 Front Street
BELLEVILLE, ON
K8N 2Y8

Email: shutchison@city.belleville.on.ca



MINOR VARIANCE APPLICATION REVIEW

City of Belleville

Date: **July 2, 2014**

File No.: **A 10/14**

Location: **40 Hanna Court**

Applicant: **St Lawrence Pools Ltd.**

Proposal: To use 25% of the gross floor area of the existing building on the property located at 40 Hanna Court, to a maximum of 930m², for retail space instead of the permitted 5% or 93m², whichever is the lesser.

Official Plan:

Current Designation: Industrial Land Use

Permitted Uses: a broad range of industrial uses and general commercial convenience or service commercial uses may be established within areas designated Industrial Land Use to provide services to workers within the industrial areas of the City and to those who may be passing through, provided that such developments are generally limited in scale and do not detract from the general purpose of such areas to provide for intensive industrial activities

Zoning By-law 10245:

Current Zoning: M1-2 – Restricted Industrial Exception No. 2 Zone

Permitted Uses: warehousing and storage of goods, but not including salvage yards business, professional and/or administrative office

A retail outlet cannot occupy more than five (5) percent of the gross floor area of the main building or 93.0 sq. m., whichever is the lesser.

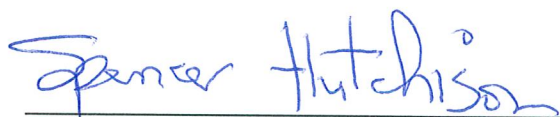
Comments:

1. the general location of the subject lands is in an area that is undergoing a slow transition from industrial uses to more and more commercial uses; Bell Boulevard could now be considered the major commercial corridor of the municipality;
2. the owner wishes to increase the amount of space allowed for commercial uses but still limit the use to 25% of the building area;
3. thus 75% of the building would still be restricted from being used for retail space;

4. the proposed use of the property involves the storage and sale of large bulky items (ie: pools) that take up a lot of space and should not be in a purely commercial area;
5. this use needs to be in an area that does allow warehousing;
6. it is felt that the proposed variance meets the intent of the Zoning By-law and is considered to be minor in nature;
7. this variance would allow for the appropriate use of the subject lands.

Conclusion:

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by St Lawrence Pools Ltd. to permit 25% of the gross floor area of the existing building on the property located at 40 Hanna Court, to a maximum of 930m², to be used for retail space.



Spencer Hutchison
Manager of Approvals

MEMORANDUM

To: Spencer Hutchison
Manager, Approvals Section

From: Jeff Shortt,
Development Technologist

Date: June 27, 2014

Application No. A10/14

Regarding: Committee of Adjustment Variance Application A10/14
40 Hanna Court, Belleville
OWNER: Vaughan Automotive and Appliances Ltd.
AGENT: St. Lawrence Pools

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

We have no objection to this application.



Jeff Shortt C.E.T.

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

TAKE NOTICE that the City of Belleville Committee of Adjustment will hold a meeting on **Thursday July 10, 2014 at 3:30 p.m.** in the **Council Chambers**, Fourth Floor, Belleville City Hall, 169 Front Street, Belleville to consider an application under Section 45 of the Planning Act, submitted by IBI Group, Agent for 1726829 Ontario Inc.

The subject property is zoned CC – Community Commercial Zone which permits a range of commercial uses including an eating establishment. The applicant wishes to construct a stand-alone restaurant on the subject property and to do so requires the following variances:

- maximum lot coverage from 25% to 26.3%;
- maximum gross leaseable floor area from 70,250ft² to 75,513ft²;
- minimum number of parking spaces provided from 415 spaces to 329 spaces;
- permission for stand-alone eating establishment.

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

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

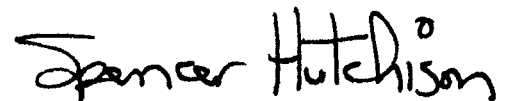
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The lands subject to this application for a minor variance are **not** subject to any other type of planning application.

Dated this 19th day of June, 2014



Spencer Hutchison
Secretary-Treasurer
City of Belleville
Committee of Adjustment
169 Front Street
BELLEVILLE, ON
K8N 2Y8

Email: shutchison@city.belleville.on.ca

MINOR VARIANCE APPLICATION REVIEW

City of Belleville

Date: July 2, 2014

File No.: A11/14

Location: 150 Sidney Street

Applicant: IBI Group

Proposal: To permit the construction of a new stand-alone eating establishment at 150 Sidney Street with:

- a maximum lot coverage of 26.3% instead of the required 25.0%;
- a maximum gross leasable floor area of 75,513ft² instead of the required 70,250ft²;
- a minimum of 329 parking spaces provided instead of the required 415 spaces.

Official Plan:

Current Designation: Commercial Land Use

Permitted Uses: a broad range of commercial uses

Zoning By-law 10245:

Current Zoning: CC – Community Commercial Zone

Permitted Uses: eating establishment; all uses in the form of a shopping centre

Lot coverage (maximum) 25%

Gross Floor Area (maximum) 70,250ft²

Parking spaces (minimum): 415 (5.5 parking spaces per 93m² (1,001 ft²) of gross leasable floor area)

Comments:

1. as stated by the Zoning By-law, "the primary purpose of the zone is to allow neighbourhood stores to which the neighbourhood residents would have frequent occasions to resort, such as grocery and food stores, hardware stores, beauty and barber shops, banks, taxi establishments, bake shops, restaurants, take-out eating establishments, cleaning and laundry depots and laundromats, clothing stores, and professional and business offices, but not including department stores;
2. this site specific zone was created in the 80's to reflect a neighbourhood commercial area where residents would have a frequent reason to visit;
3. this definition would seem to imply numerous, short-term visits and possibly non-vehicular travel;
4. the trend in "shopping centres" is to have one or more "pads" detached from the main commercial building itself; such as the stand-alone Tim Horton's directly across the street from the subject property;

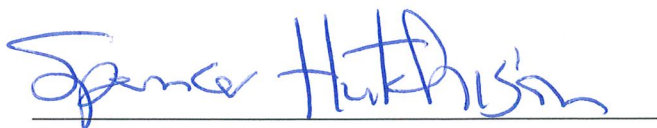
5. thus the stand-alone nature of the proposed eating establishment simply reflects the optimum use of land surrounding a shopping centre and the evolving trend in commercial land use;
6. the applicant is requesting a slight 1.3% increase in lot coverage; in fact the area where the eating establishment is proposed is already a paved parking area; thus in reality this change in lot coverage allows for the parking area to be reutilized and is already used "commercially";
7. the requested change in the overall gross leasable floor area is approximately 5,250ft², a deviation of less than 10%;
8. in comparison the City's C3 – Highway Commercial Zone does not have a cap on maximum gross leasable floor area and limits lot coverage to 50%; the property on the other side of Sidney Street is zoned a special Highway Commercial Zone;
9. the proposed stand-alone eating establishment includes a drive through which indicates that a portion of the business will not need parking but will be passing through the site;
10. the parking provided for a shopping centre is calculated based on different commercial uses generating traffic at differing rates and times; thus the parking would be shared and complementary;
11. looking at the current uses located on the subject property it is felt that a reduction in parking could be warranted; it is felt that not all of these uses would be creating the maximum requirement for parking at the same time;
12. for that matter for almost all "shopping centres" in Belleville there only appears to be a few times in the year when their parking lots are anywhere near capacity;
13. it is also noted that in close proximity to the subject lands are quite a few residential units that could provide the possibility for pedestrian travel to the subject lands and not vehicular traffic;
14. therefore it is felt that the three proposed variances could be considered minor in nature and would allow for the appropriate development of the subject lands.

Conclusion:

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by the IBI Group to permit the construction of a new stand-alone eating establishment at 150 Sidney Street with:

- a maximum lot coverage of 26.3%;
- a maximum gross leasable floor area of 75,513ft²;
- a minimum of 329 parking spaces

subject to the submission and approval of a site plan for the subject property.



Spencer Hutchison
Manager of Approvals

MEMORANDUM

To: Spencer Hutchison
Manager, Approvals Section

From: Jeff Shortt,
Development Technologist

Date: June 27, 2014

Application No. A11/14

Regarding: Committee of Adjustment Variance Application A11/14
150 Sidney Street, Belleville
OWNER: 1726829 Ontario Inc.
AGENT: IBI Group

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

We have no objection to this application.



Jeff Shortt C.E.T.

QUINTE CONSERVATION PLANNING ACT REVIEW

File: Minor Variance A11/14
Site Address: 150 Sidney Street
Municipality: City of Belleville
Owner: 1726829 Ontario Inc., c/o Derek Hull
Feature: N/A

Comments for above note application:

As per the application provided to this office, it is our understanding that the proposal will reduce the amount of parking to 329 spaces, increase the maximum gross leasable floor area to 6,526.4 square metres, increase the lot coverage to 26.3%, and permit for a stand-alone building.

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

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

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). **However, please note that this office would like to review any site plans and stormwater management plans (if required) associated with the proposed development.**

c.c. 1726929 Ontario Inc., c/o Derek Hull

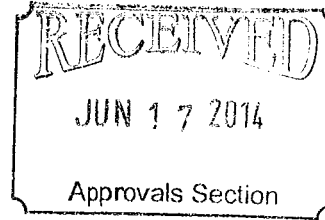


Sam Carney
Technical Administrative Assistant

June 25, 2014
Date



IBI GROUP
308-30 Eglinton Avenue West
Mississauga ON L5R 3E7 Canada
tel 905 890 3550 fax 905 890 7081
ibigroup.com



June 13, 2014

Chair and Members of Committee of Adjustment

c/o Mr. Spencer Hutchison, Manager of Approvals
City of Belleville
Committee of Adjustment
169 Front Street, 2nd Floor
Belleville, ON
K8N 2Y8

Dear Mr. Chair and Members of Committee:

**APPLICATION FOR MINOR VARIANCE
MCDONALD'S RESTAURANTS OF CANADA LIMITED
150 SIDNEY STREET, CITY OF BELLEVILLE**

We are planning consultants to McDonald's Restaurants of Canada Limited. McDonald's wishes to develop a new McDonald's restaurant in an existing commercial plaza, currently owned by 1726829 Ontario Inc. The subject lands are legally described as Lots 1, 2,4 and 5, Part of Lot 3, Registered Plan 174 Sidney, Lot 3, Part of Lots 4 and 5 Registrar's Compiled Plan 1824 Sidney, City of Belleville, County of Hastings, municipally known as 150 Sidney Street.

On behalf of our client, we are pleased to submit the enclosed application for Minor Variance related to the proposed development.

As shown on the enclosed Site Plan, McDonald's is proposing to develop a new 408sq.m (4,391.7sq.ft.) restaurant and associated drive-thru facility, located on the northeast corner of the subject lands, currently occupied by a parking area.

Based on our discussions with staff, and subsequent meeting with City staff on June 11, 2014, it is our understanding that, as a result of the proposed development, relief is required from the City of Belleville Zoning By-law 10245 related to four (4) items. These items are as follows:

1. **Parking:** Including the proposed McDonald's Restaurant, 415 parking spaces would be required, calculated at the "shopping centre" parking rate. As previously noted, the proposed restaurant would occupy an existing parking area, reducing the total number of parking provided on the site. As such, 329 parking spaces would be provided, whereas 415 parking spaces would be required, per Zoning By-law 10245, resulting in a parking deficiency of 86 parking stalls.
2. **Maximum Gross Leasable Floor Area:** On March 8, 2007, the Committee of Adjustment approved a Minor Variance to permit an increase in the Maximum Gross Leasable Floor Area to 6,526.4sq.m (70,250sq.ft). As a result of the proposed McDonald's Restaurant, the Gross Leasable Floor Area is further increased by 408sq.m to 7,015.42sq.m (75,513.4sq.ft), and as such, relief is required to permit a Maximum Gross Leasable Floor Area to permit the proposed development.

Chair and Members of Committee of Adjustment
c/o Mr. Spencer Hutchison, Manager of Approvals – June 13, 2014

3. Lot Coverage: The Community Commercial Zone provides a maximum lot coverage of 25%, whereas a lot coverage of 26.3% would be provided on site as a result of the proposed McDonald's.
4. Stand Alone Building Permissions: Although the proposed restaurant is permitted within the Community Commercial (CC) Zone, Part M-1, Section 1 of Zoning By-law 10245 states that any permitted use is permitted in the form of a shopping centre, defined in part as "a group of commercial establishments conceived, designed and developed as a unit". While this definition does not specifically refer to all uses being located within a single building, under strict interpretation, stand alone buildings are not permitted within the CC Zone. As such, relief is required from Zoning By-law 10245 to permit the stand-alone McDonald's restaurant building.

It is our opinion that the requested variances are minor in nature, conforms to the general intent and purpose of the City's Official Plan and Zoning By-law, and is desirable for the appropriate development of the subject lands.

The subject lands are designated "Commercial" by the City of Belleville Official Plan (OP). The OP encourages commercial uses within nodes or areas of commercial activity, and further directs commercial uses to be located in accessible areas along the City's arterial road network. Located along two main roads, being Sidney Street and Bridge Street West, it is our opinion that the proposed McDonald's Restaurant will provide additional commercial uses along this corridor, and optimize and enhance the use of the existing commercial plaza.

Greyfield redevelopment – revitalizing and intensifying underutilized commercial sites – is a growing urban planning phenomenon that seeks to make better use of limited urban areas and infrastructure. The proposed intensification of 150 Sydney Street therefore is, in our opinion, appropriate and desirable so long as matters of impact can be appropriately addressed.

The subject lands are zoned Community Commercial "CC", pursuant to the City of Belleville Zoning By-law 10245. As noted above, eating establishments are permitted within this zone.

It is our opinion that the requested variances are minor in nature. The previous Minor Variance Decision, approved by the Committee of Adjustment in 2007, supported additional development within this commercial property. Given the large size of this property, the addition of the McDonald's restaurant represents a marginal increase in GFA (approximately 1.5%). While the proposed restaurant would slightly increase the building coverage on the site, we note that the building would not increase the amount of impervious surface, and in fact, would introduce new landscaping along areas that are currently occupied by asphalt.

With respect to parking, the proposed McDonald's will further optimize the subject lands by intensifying an area currently occupied by an underutilized parking lot. It is our opinion that the provision of 329 parking spaces reflects an appropriate amount for this property given the current range of uses and the proposed addition of the McDonald's restaurant. The array of tenants occupying the commercial plaza allows users to utilize numerous services, which maximizes the use of each parking space.

Furthermore, it is our understanding the City's current Zoning By-law, which reflects a required parking rate of 5.5 spaces per 93 square meters of building GFA, was approved by Council in 1977. This rate is considered a "traditional" standard for parking at shopping centres. In our experience with numerous zoning by-law updates throughout Ontario, we have found that more contemporary zoning by-laws have reduced this rate to the range of 4.75 to 4.9 spaces per 100 square meters of building GFA. These newer parking rates are more reflective of vehicle occupancy of parking lots on large commercial properties and shopping centres in the current

Chair and Members of Committee of Adjustment
c/o Mr. Spencer Hutchison, Manager of Approvals – June 13, 2014

context. Further, these kinds of parking rates help to encourage development within existing properties comprising large parking areas.

The new drive-thru proposed for the site also reduces the need for parking associated with the proposed McDonald's restaurant, as many users will not occupy a parking space in favour of the drive-thru option.

Finally with respect to parking we acknowledge that numerically, the proposed reduction is in the range of approximately 20% and may, on the surface, therefore appear sizable. However, we would be remiss not to point out to Committee that that Ontario Municipal Board has held on many occasions that it is the impact, not the quantum of a variance, that is the true test of whether it should be considered minor or not. In this case, for the reasons stipulated above, we reaffirm our opinion that in this instance, the proposed reduction is minor.

Lastly, it is our opinion that the proposed intensification is desirable for the appropriate development of the lands. Matters of impact have been suitably addressed, the proposal makes better use of an underutilized parcel, is situated in close proximity to residents and areas of employment (i.e. medical centres and service commercial uses), and creates additional employment and commercial opportunities to the area. Furthermore, approximately 534sq.m of new landscaping will be proposed as a result of the development, reflecting a 2% increase in pervious surface for the site.

In support of our application, enclosed herein please find the following for review:

- One (1) completed Minor Variance application form;
- Cheque in the amount of \$600.00;
- One (1) full size Site Plan drawing (SP1), dated June 10, 2014; and
- One (1) reduced (11 x 17) copy of the above-noted drawing.

Should you require anything further, please do not hesitate to contact the undersigned by telephone at 905-890-3550 ext. 3104, or by email at michael.lipkus@ibigroup.com. In the meantime, we look forward to your confirmation of receipt of the attached material, and further discussing this application with the Committee of Adjustment on July 10, 2014.

Yours truly,

IBI GROUP



Michael Lipkus, MES, MCIP, RPP

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

TAKE NOTICE that the City of Belleville Committee of Adjustment will hold a meeting on **Thursday July 10, 2014 at 3:30 p.m.** in the **Council Chamber**, Fourth Floor, Belleville City Hall, 169 Front Street, Belleville to consider an application under Section 45 of the Planning Act, submitted by RBJ Concepts Inc., Agent for Shawn Stickler.

This application is submitted to allow the construction of a new triplex on the property municipally known as 22-24 Grier Street. This property is zoned R4 – Residential Fourth Density Zone which allows a triplex on a lot that has a minimum lot frontage of 22.8 metres. The subject property has a frontage of 20 metres.

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

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

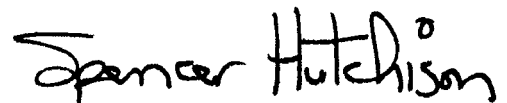
Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to this application or you may be represented by counsel for that purpose.

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

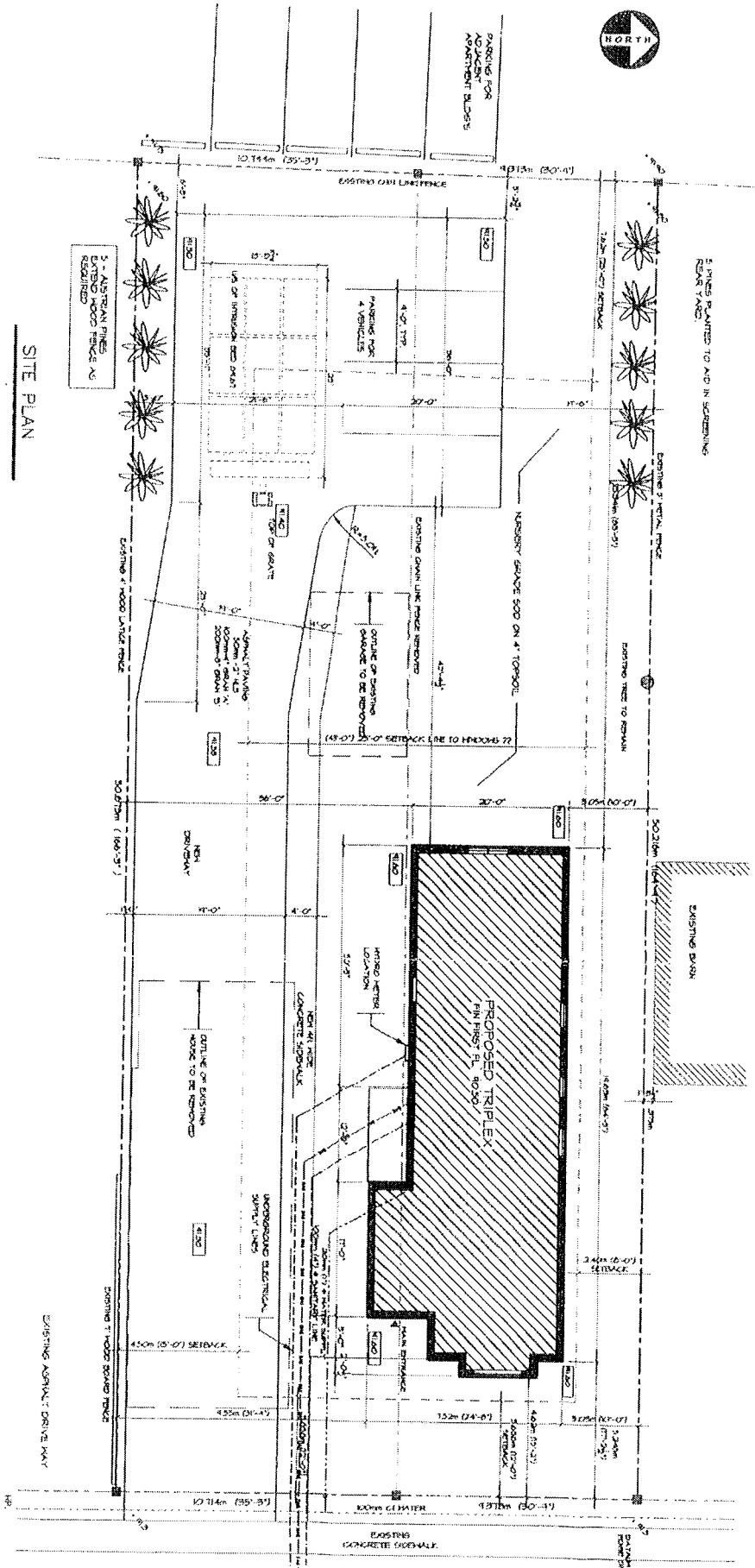
If a person or public body that files an appeal of a decision of the City of Belleville Committee of Adjustment in respect of the proposed minor variance does not make a written submission to the City of Belleville Committee of Adjustment before it gives or refuses to give approval, the Ontario Municipal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

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

Dated this 20th day of June, 2014



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



SITE PLAN

GRIER STREET

THIS DOCUMENT IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

**MINOR VARIANCE APPLICATION REVIEW
City of Belleville**

Date: **July 2, 2014**

File No.: **A 12/14**

Location: **22-24 Grier Street**

Applicant: **RBJ Concepts Inc.**

Proposal: To permit a triplex on the property at 22-24 Grier Street which is a property with a minimum lot frontage of 20 metres instead of the required 22.8 metres.

Official Plan:

Current Designation: Residential Land Use

Permitted Uses: a range of residential land uses including a triplex

Zoning By-law 10245:

Current Zoning: R4 Zone

Permitted Uses: a range of low density residential uses including a triplex

Proposed Use: triplex

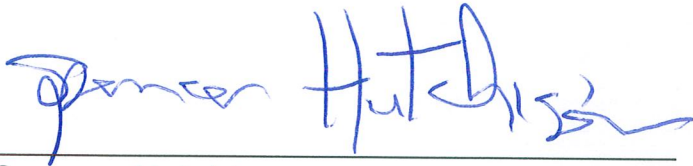
Lot Frontage (minimum): 22.8 metres

Comments:

1. from the plot plan that has been submitted there is sufficient lot area and lot width to construct a triplex on the subject property;
2. the proposed variance is considered minor in nature and as noted, it appears the property can be developed with a triplex where all other zoning requirements (ie: setbacks, lot coverage, building height) can be met;
3. in summary, it is felt that the proposed variance would allow for the appropriate development of the subject lands;
4. in doing so, it is noted that the 2 abutting properties, at 22 and 24 Grier Street, have to be merged on title so as to create the subject property.

Conclusion:

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by RBJ Concepts Inc. to permit a triplex on the property at 22-24 Grier Street which is a property with a minimum lot frontage of 20 metres instead of the required 22.8 metres subject to the ownership of the properties at 22 and 24 Grier Street being merged on title.



Spencer Hutchison
Manager of Approvals

MEMORANDUM

To: Spencer Hutchison
Manager, Approvals Section

From: Jeff Shortt,
Development Technologist

Date: June 27, 2014

Application No. A12/14

Regarding: Committee of Adjustment Variance Application A12/14
24 Grier Street, Belleville
OWNER: Shawn Stickler
AGENT: Barry Johnson

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

We have no objection to this application.



Jeff Shortt C.E.T.

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

TAKE NOTICE that the City of Belleville Committee of Adjustment will hold a meeting on **Thursday July 10, 2014 at 3:30 p.m.** in the **Council Chamber**, Fourth Floor, Belleville City Hall, 169 Front Street, Belleville to consider an application under Section 53 of the Planning Act, submitted by Shady Ridge Stock Farms Inc.

This application is submitted to create a new commercial building lot on the south side of Bell Boulevard, just east of Wallbridge Loyalist Road, and is municipally known as 773 Bell Boulevard. In addition, the applicant is requesting permission for the use of a shared driveway for the severed and retained parcels. A sketch of the proposed severance is found on the back of this notice.

The retained and severed lots are zoned CH-9/MS – Highway Commercial Exception No. 9 Zone and would have a minimum lot frontage of 30 metres and a minimum lot area of 2,022m². Located on the retained parcel of land is a retail store while the severed parcel is currently vacant, it is proposed that an office would be built at this location.

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

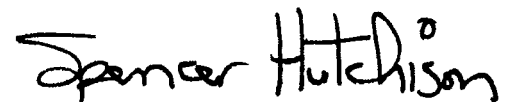
Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to this application or you may be represented by counsel for that purpose.

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

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

The lands subject to this application for consent is subject to a concurrent rezoning application (File: B-77-963).

Dated this 20th day of June, 2014



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

ADJACENT UNDEVELOPED PROPERTY

PROPERTY LINE N19° 11' 10" W 486.4m (611.5')

94.5m

Retained Parcel

UNDEVELOPED SITE

mutual rights of way

773 BELL BOULEVARD

PROPERTY LINE N70° 57' 20" E 16.2m (250')

GRASS AREA 91.9m

40.0m

GRANULAR SURFACED PARKING AREA 31 SPACES REQUIRED (31 SPACES PROVIDED)



LIMITS OF PROPERTY SEVERANCE (AREA = 2 022.9q.m)

15m CONCRETE SIDEWALK

24.5m

GRANULAR SURFACED PARKING AREA 26 SPACES REQUIRED (31 SPACES PROVIDED)

21.9m



PROPERTY LINE N19° 11' 10" W 486.4m (611.5')

ADJACENT COMMERCIAL PROPERTY

Shared Parcel

PROJECT

PROPOSED FACILITY FOR:

BELLEVILLE INTEGRATIVE HEALTH CENTRE



CORNERSTONE BUILDERS LTD.

DRAWING

CONCEPT SITE PLAN

DATE JUNE 2014

ISSUE

APPROVAL

SP3

**CONSENT APPLICATION REVIEW
City of Belleville**

Date: **July 2, 2014**

File No.: **B 22/14**

Location: **773 Bell Boulevard**

Applicant: **Shady Ridge Stock Farms Inc.**

- Proposal:**
1. to sever the subject lands to create a new commercial building lot with a frontage of approximately 30 metres on the south side of Bell Boulevard, east of Wallbridge-Loyalist Road, with a lot area of 2,022m²;
 2. to grant reciprocal rights of way between the severed and retained parcel so as to create a shared driveway from Bell Boulevard.

Severed Parcel:

frontage:	30 metres on the south side of Bell Boulevard
area:	2,022m ²
current use:	vacant land
proposed use:	office building

Retained Parcel:

frontage:	46.2 metres
area:	12,181m ²
current use:	retail/commercial building
proposed use:	unchanged

Official Plan:

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

Zoning By-law 2076-80:

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

Permitted Use:	range of commercial and industrial uses
Proposed Use:	office building
minimum lot area:	nil
minimum lot frontage:	30 metres

Comments:

1. it is noted that the subject property is the subject of a concurrent rezoning to allow an office building on this property; the public meeting for the rezoning application will be held on August 5th;
2. the proposed use of the subject property does not impact the severance application; if the rezoning is not approved, the severed parcel would have to be used in accordance with the list of currently approved uses;
3. both the severed and retained parcels meet the requirements of the zoning by-law and it appears that the construction of a building on the severed parcel would meet the setback and parking requirements of the zoning by-law;
4. to help reduce the number of access points onto Bell Boulevard and to try and promote better safety, the severed and retained parcels will share a driveway;
5. to legally permit and protect this shared driveway the applicant has requested reciprocal rights of way over the retained and severed parcels;
6. both the severed and retained parcels will each require their own separate water and sewer services;
7. Municipal policy is to collect a cash-in-lieu of parkland contribution for all new building lots that are created;
8. the development of the severed parcel will be subject to site plan review and approval; at that time hydrogeological, stormwater management and transportation matters will be dealt with;
9. it is felt that this proposed severance reflects appropriate development consistent with the City's Official Plan.

Conclusion:

1. Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by Shady Ridge Stock Farms Inc. to sever the subject lands to create one new commercial building lot with a frontage of approximately 30 metres on the south side of Bell Boulevard, with a lot area of 2,022m², subject to the following conditions:
 1. a survey registered on title for the severed parcel be submitted (two full-size paper copies and a digital copy) to the Secretary-Treasurer of the City of Belleville Committee of Adjustment;
 2. the financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property to be satisfied;
 3. the City Parks Policy with respect to cash-in-lieu contribution established by the Council of the Corporation of the City of Belleville shall apply to the severed parcel and the necessary payment lodged with the Treasurer of the City of Belleville;
 4. the necessary deeds to be submitted in triplicate and Conditions 1 to 3 inclusive be fulfilled prior to the issuance of the Consent Certificate;
 5. Conditions 1 to 4 inclusive to be fulfilled within one (1) year of the Committee's Decision;

6. development charges will be payable for any future development of the severed parcel;
 7. any development of the subject lands will be subject to site plan approval.
2. Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by Shady Ridge Stock Farms Inc. to create reciprocal rights of way to create a shared driveway for the severed and retained parcels, subject to the following conditions:
1. that the severance of the severed and retained parcels is completed and the severed parcel is created;
 2. a survey registered on title for the severed parcel be submitted (two full-size paper copies and a digital copy) to the Secretary-Treasurer of the City of Belleville Committee of Adjustment;
 3. the financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property to be satisfied;
 4. the necessary deeds to be submitted in triplicate and Conditions 1 to 3 inclusive be fulfilled prior to the issuance of the Consent Certificate;
 5. Conditions 1 to 4 inclusive to be fulfilled within one (1) year of the Committee's Decision.



Spencer Hutchison
Manager of Approvals

MEMORANDUM

To: Spencer Hutchison
Manager, Approvals Section

From: Jeff Shortt,
Development Technologist

Date: June 27, 2014

Application No. B22/14

Regarding: Committee of Adjustment Application for Consent B22/14
773 Bell Boulevard West, Belleville
OWNER: Al Osborne

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 severed parcel is required to be serviced by municipal services.
2. The site is to be developed in accordance with Site Plan Guidelines.



Jeff Shortt C.E.T



QUINTE CONSERVATION PLANNING ACT REVIEW

File: Consent B22/14
Lot/Con: Part Lot 31, Concession 2
Geographic Township: Sidney
Municipality: Quinte West
Owner/Agent: Shady Ridge Stock Farms Inc., c/o Al Osborne
Feature: Potters Creek Watershed Area

Comments for above note application:

As per the application provided to this office, it is our understanding that the proposal will create a new commercial lot with a mutual right of way.

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

Stormwater Management

The subject lands lie within the Potter creek Master Drainage Plan – Stormwater Planning Area. Thus, any new development on the subject lands must demonstrate that post-development flows do not exceed pre-development levels for design storms from the 5-year to 100-year events and the Level 1 (enhanced) protection storage criteria set out in the Ministry of the Environment Stormwater Management Planning and Design Manual (2003) should be utilized for this application. Please contact Christine McClure, Water Resources Technologist from this office at 613-968-3434 x 130 to discuss these requirements in further detail.

c.c. **Shady Ridge Stock Farms Inc., c/o Al Osborne**

Sam Carney
Technical Administrative Assistant

June 25, 2014

Date

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

TAKE NOTICE that the City of Belleville Committee of Adjustment will hold a meeting on **Thursday July 10, 2014 at 3:30 p.m.** in the **Council Chamber**, Fourth Floor, Belleville City Hall, 169 Front Street, Belleville to consider an application under Section 45 and Section 53 of the Planning Act, submitted by P. John Halloran, Agent for John & Annette Allen.

The applicant wishes to create a new residential building lot on the east side of Yeomans Street, south of Catharine Street, municipally known as 25-27 Yeomans Street, which would have a frontage of 39.6 feet and an area of approximately 5,235 ft², as shown on the sketch attached to this notice.

The applicant is also requesting a right of way over the severed lot in favour of the retained lot to provide access to the rear yard of the retained lot to provide for rear yard parking.

It is proposed that a new single detached dwelling would be constructed on the severed lot. Located on the retained parcel of land is a 3-unit converted dwelling.

The applicant is also requesting approval of three minor variances for the retained lot. The variances are for a reduced front yard from 11.8 feet to nil feet, a reduced interior side yard setback from 5.9 feet to 0.7 feet and a reduced lot area from 10,882 ft² to 5,235 ft².

Both the severed and retained parcels are zoned R4 – Residential Fourth Density Zone which permits single detached and converted dwellings.

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

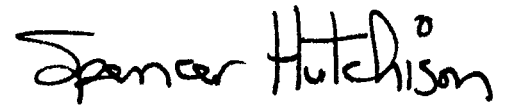
Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to these two applications or you may be represented by counsel for that purpose.

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

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

The lands subject to this application for consent is subject to a concurrent minor variance application (File: A09-14).

Dated this 20th day of June, 2014

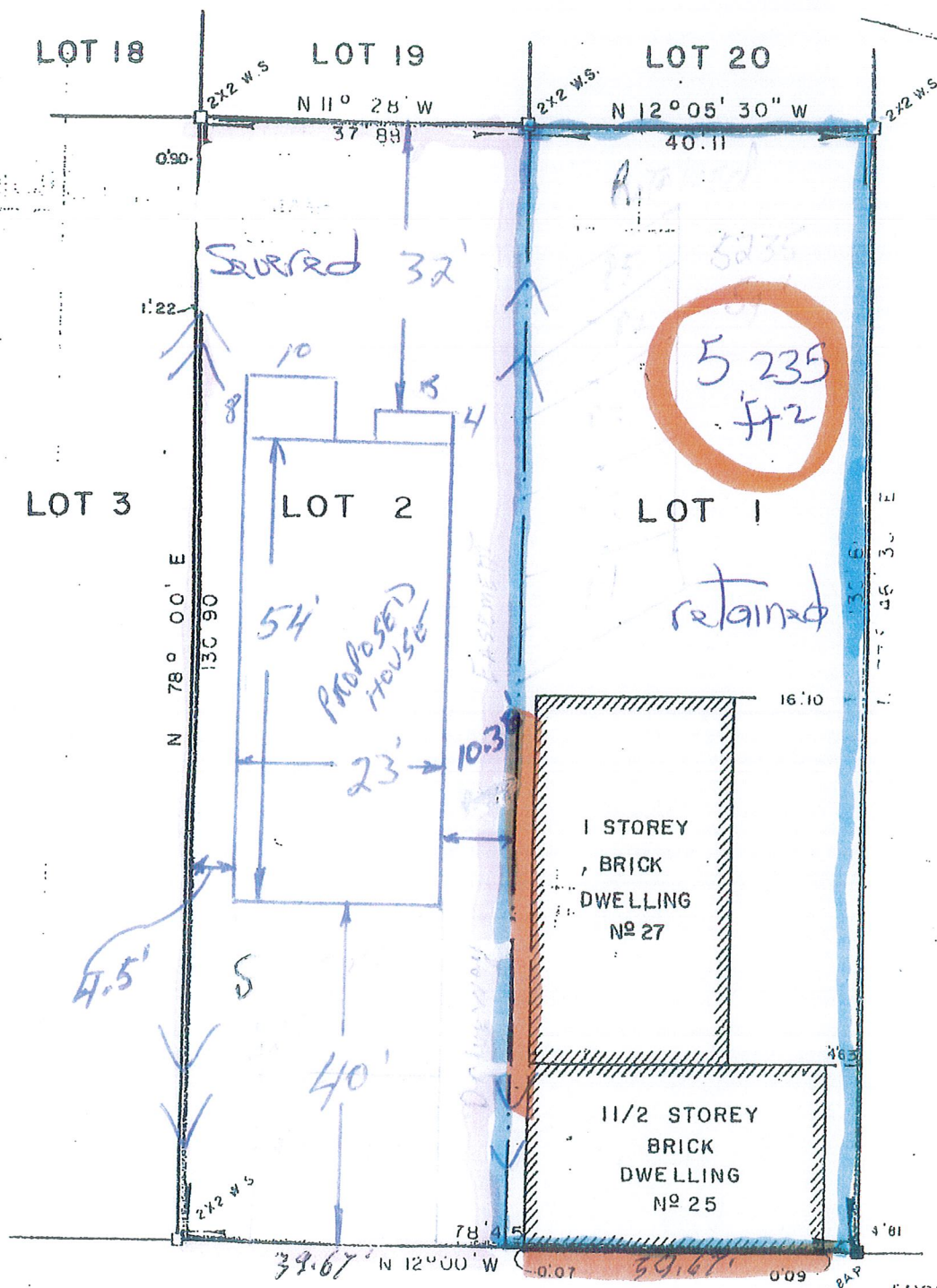
A handwritten signature in black ink that reads "Spencer Hutchison". The signature is written in a cursive style with a small circle above the letter 'o' in Hutchison.

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

PLAN OF SURVEY
 SHOWING
 LOTS 1 AND 2, EAST SIDE OF YEOMANS STREET
 REGISTERED PLAN N^o 173
 CITY OF BELLEVILLE COUNTY OF HASTINGS

SCALE 1 INCH = 20 FEET

BELLEVILLE SEPT 25, 1961



YEOMANS STREET

FROM THE OFFICE OF R BENN
 ONTARIO LAND SURVEYOR
 CERTIFIED CORRECT
T. Frank
 ONTARIO LAND SURVEYOR

CONSENT & MINOR VARIANCE APPLICATION REVIEW
City of Belleville

Date: July 3, 2014

File No.: A 09/14 and B 21/14

Location: 25-27 Yeomans Street

Applicant: P. John Halloran

Proposal:

1. To sever the subject lands to create a new residential lot, on which could be constructed a new single detached dwelling, which would have a minimum lot frontage of 39.6 feet on the east side of Yeomans Street and a minimum lot area of 5,236ft².
2. To grant an easement over the severed parcel in favour of the retained parcel to provide access to rear yard parking on the retained parcel;
3. To recognize the existing front yard setback of the existing dwelling on the retained lot of nil feet instead of the required 11.8 feet; the lot area of 5,236ft² for a 3-unit converted dwelling instead of the required 10,822ft²; and to recognize an interior side yard setback of 0.7 feet instead of the required 5.9 feet.

Severed Parcel:

frontage:	39.67 feet
area:	5,236ft ²
current use:	vacant side yard
proposed use:	single detached dwelling

Retained Parcel:

frontage:	39.67 feet
area:	5,236ft ²
current use:	3-unit converted dwelling
proposed use:	no change

Official Plan:

Current Designation: Residential Land Use

Permitted Uses: a range of residential land uses including a single detached dwelling and converted dwellings

Zoning By-law 10245

Current Zoning: R4 – Residential Fourth Density Zone

Permitted Use: single detached dwelling and converted dwellings

Minimum lot frontage: 39.4 feet

Minimum lot area:	3,994.0ft ² (single family dwelling) 10,882ft ² (3-unit converted dwelling)
Minimum front yard setback:	11.8 feet
Minimum side yard setback:	5.9 feet
Parking for converted dwelling:	4 spaces and must be in rear yard

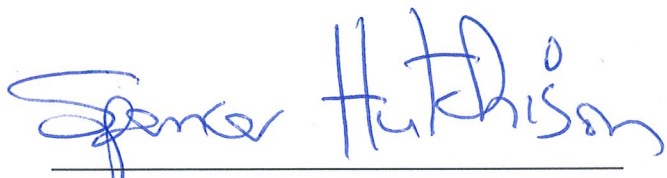
Comments:

1. currently on the subject lands is a 3-unit converted dwelling that meets all of the requirements of the R4 Zone except for deficiencies in the front yard setback and lot area;
2. the applicant wishes to sever off land on which a new single detached dwelling could be constructed;
3. the proposed new lot would meet the zoning requirements of the R4 Zone, and in of itself is not a problem; however, serious problems arise with the retained parcel;
4. the lot area of the retained parcel would fall to 5,235ft² instead of the required 10,882ft²; this is a significant deficiency and represents less than 50% of the lot area that is required;
5. this deficiency is compounded by the fact that the rear yard of the retained parcel has to be used to provide 4 parking spaces; this in turn raises questions about the amount of outdoor private amenity space for the 3 dwelling units on the retained parcel;
6. in addition, to provide the rear yard parking on the retained parcel an easement or right of way have to be provided on the severed parcel since there is no other way to get to the rear yard;
7. as a result the severed parcel is encumbered by this right of way and in practical terms "loses" the southerly 10 feet of the severed parcel to the retained parcel; in effect the right of way is required to make the use of the retained parcel work;
8. this is not appropriate or practical and functionally makes the severed parcel 10 feet narrower;
9. it is also noted that the proposed spatial separation between the existing 3-unit converted dwelling and the proposed new single family dwelling is approximately 10 feet which is not wide enough for a 2-way driveway and thus vehicles will have to back out this driveway when exiting the parking area for the retained parcel; this is not desirable;
10. lastly it is noted that the 3-unit converted dwelling on the retained parcel will have an almost non-existent side yard setback; this creates issues for maintenance and for providing proper fire separation; all along the north side of the 3-unit converted dwelling is a row of windows and a doorway; these windows and doorway are less than 1 metre from the property line;
11. Section 9.10.15 of the Ontario Building Code deals with the spatial separation between houses and needs to be addressed;
12. in summary it is strongly felt that the proposed severance and minor variance applications would not constitute appropriate development nor would be consistent with the intent of the Zoning By-law;

13. the subject property is simply not large enough nor wide enough to be used for a single detached dwelling and also a 3-unit converted dwelling; this is pushing development standards too far.

Conclusion:

1. Based on the foregoing, the Approvals Section of the Engineering and Development Services Department **cannot** support the application by P. John Halloran to sever the subject lands to create a new residential lot, which would have a minimum lot frontage of 39.6 feet on the east side of Yeomans Street and a minimum lot area of 5,236ft²;
2. Based on the foregoing, the Approvals Section of the Engineering and Development Services Department **cannot** support the application by P. John Halloran to grant an easement over the severed parcel in favour of the retained parcel to provide access to rear yard parking on the retained parcel;
3. Based on the foregoing, the Approvals Section of the Engineering and Development Services Department **cannot** support the application by P. John Halloran to recognize that the retained property at 25 Yeomans Street would have:
 1. a minimum front yard setback of nil feet instead of the required 11.8 feet;
 2. a lot area of 5,236 ft² for a 3-unit converted dwelling instead of the required 10,822ft²; and
 3. an interior side yard setback of 0.7 feet instead of the required 5.9 feet.



Spencer Hutchison
Manager of Approvals

MEMORANDUM

To: Spencer Hutchison
Manager, Approvals Section

From: Jeff Shortt,
Development Technologist

Date: June 27, 2014

Application No. A09/14

Regarding: Committee of Adjustment Variance Application A09/14
25 – 27 Yeomans Street, Belleville
OWNER: Annetta & John Allen
AGENT: P. John Halloran

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

We have no objection to this application on the basis of the consent in application B21/14 being approved.



Jeff Shortt C.E.T.

MEMORANDUM

To: Spencer Hutchison
Manager, Approvals Section

From: Jeff Shortt,
Development Technologist

Date: June 27, 2014

Application No. B21/14

Regarding: Committee of Adjustment Application for Consent B21/14
25 – 27 Yeomans Street. Belleville
OWNER: Annetta & John Allen
AGENT: P. John Halloran

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

1. We do not feel that the proposed shared driveway provides sufficient width to function as a two way driveway. Because of this we feel a conflict would arise when more than one vehicle is entering or exiting the site, especially considering vehicles may be required to back onto the street based on the angled parking and lack of isle width to turn around.

For the above reason we feel that the property should remain as a single parcel of land.

If this application receives consent, we have the following engineering comments:

1. The applicant shall be advised that Yeomans Street 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. All driveway accesses shall conform to the City's Driveway Control By-Law No. 2001-129.
3. Drainage shall be accommodated to the satisfaction of the Building Section of the Engineering and Development Services Department.

4. Any existing drains on the retained or severed portions are not to be removed, altered or relocated without the consent of the City.
5. Both lots must have separate services.



Jeff Shortt C.E.T