

**AGENDA
BELLEVILLE COMMITTEE OF ADJUSTMENT
JUNE 5, 2014
3:30 P.M.
COUNCIL CHAMBER
CITY HALL**

1. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

2. APPLICATIONS AND DECISIONS

- a) Application B 14/14
- Application for Consent
Concession 1, Pt Lot 29
Old Highway 2
Owner: Jane Bouma

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

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

- b) Application B 15/14
- Application for Consent
170 Mudcat Road
Owner: Catherine Usborne

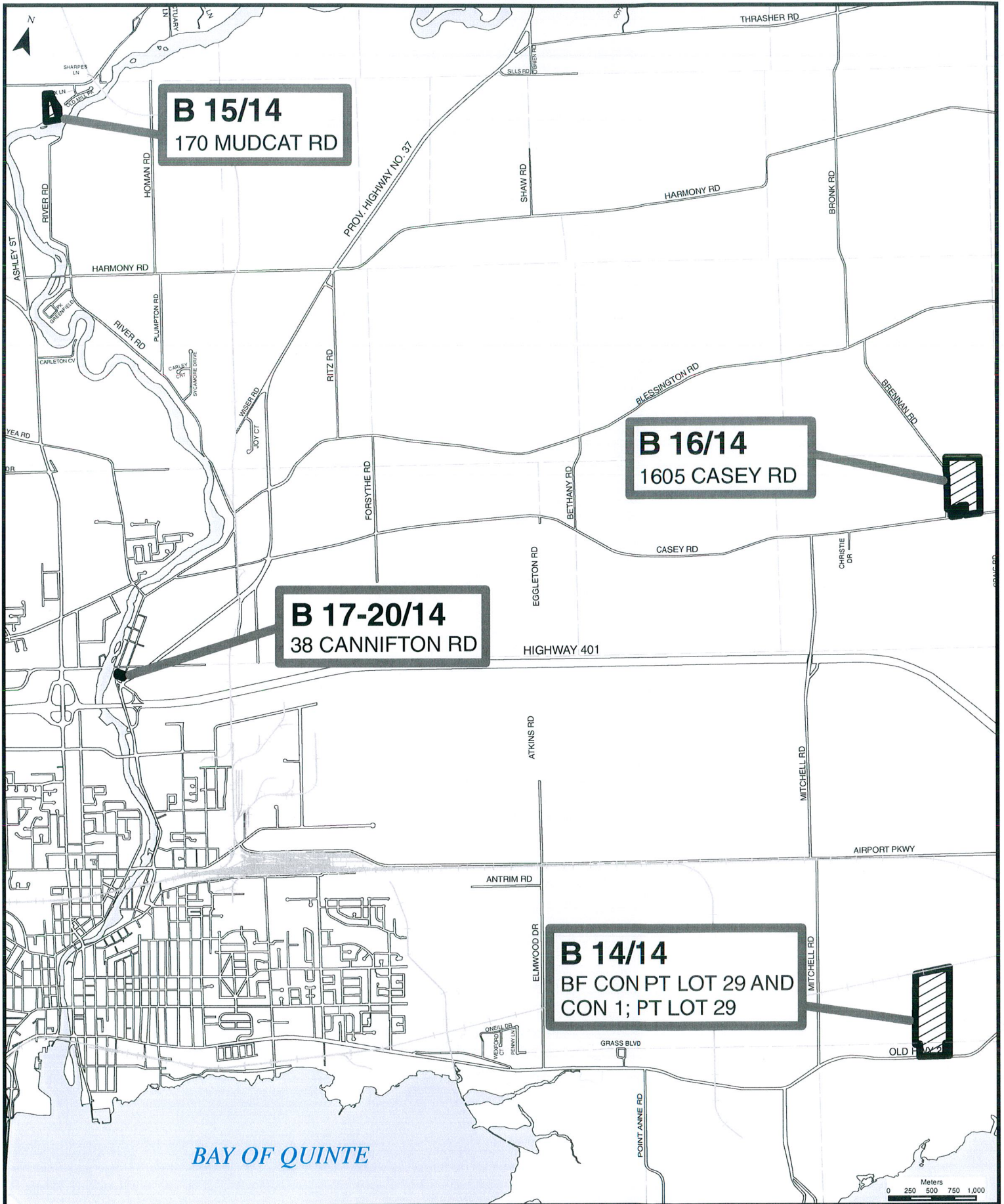
The application was circulated to Manager of Approvals, Manager of Policy Planning, Chief Building Official, Development Technologist, Director of Environmental and Operational Services and Quinte Conservation.

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

- c) Application B 16/14
- Application for Consent
Concession 3, Pt Lot 30
1605 Casey Road
Owners: Courtney & Elaine McMurter

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

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



Committee of Adjustment Location Map



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT
JUNE 5, 2014

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

TAKE NOTICE that the City of Belleville Committee of Adjustment will hold a meeting on **Thursday June 5, 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 Van Meer Limited.

This application is submitted to create a new rural residential lot on the north side of Old Highway 2, between Mitchell Road and the eastern city boundary, forming Part of Lot 29 Concession 1. A sketch of the proposed severance is found on the back of this notice.

The proposed severed lot is zoned RU – Rural Zone and would have a minimum lot frontage of 45 metres and a minimum lot area of 0.60 hectares. The RU Zone requires a residential lot to have a minimum lot frontage of 45 metres and a minimum lot area of 0.40 hectares. The severed lot and retained parcel of land are both vacant and undeveloped. However, if approved a new single detached dwelling could be constructed on the severed parcel.

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.

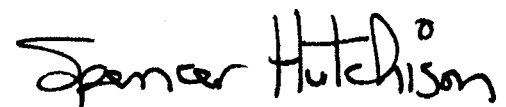
Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to this application or you may be represented by counsel for that purpose.

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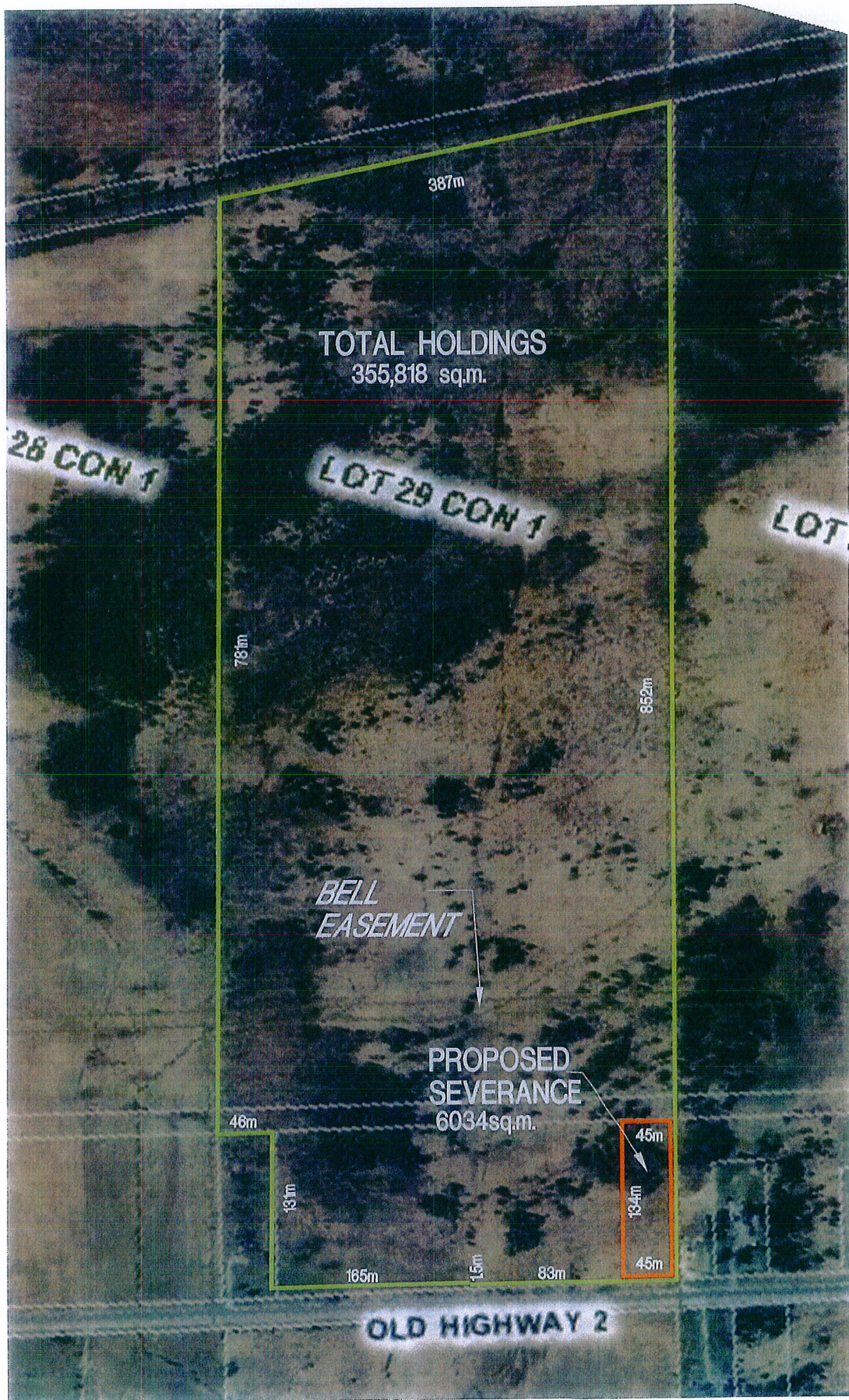
If a person or public body that files an appeal of a decision of the City of Belleville Committee of Adjustment in respect of the proposed consent does not make a written submission to the City of Belleville Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario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

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

Dated this 13th day of May, 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



CONSENT APPLICATION REVIEW

City of Belleville

Date: May 29, 2014

File No.: B14/14

Location: Concession 1, Pt Lot 29
Old Highway 2

Applicant: Jane Ann Bouma

Proposal: To sever the subject lands to create a new rural residential building lot, with a lot area of 0.6 hectares and a lot frontage of 45 metres on the north side of Old Highway 2.

Retained Parcel: frontage: approximately 248 metres
area: approximately 35 hectares
current use: farm land
proposed use: no change

Severed Parcel: frontage: 45 metres
area: 0.6 hectare
current use: farm land
proposed use: single detached dwelling

Official Plan:

Current Designation: Rural Land Use

Permitted Uses: a variety of land uses including agricultural and residential uses

Consent policies: consents to create lots for residential purposes may be granted provided that no more than 2 parcels are granted from any parcel larger than 2 hectares existing on January 1, 1998

Zoning By-law 3014:

Current Zoning: RU – Rural Zone

Permitted Uses: single family dwelling or farm
Minimum lot area: 0.4 hectares (residential)
16 hectares (non-residential)

Minimum lot frontage: 45 metres (residential)
70 metres (non-residential)

Comments:

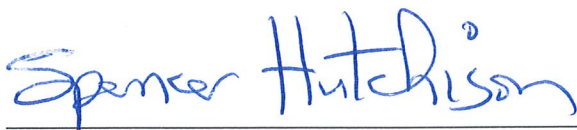
1. policies in the Official Plan permit the severance of a building lot from the subject lands; there is no record of previous severances since 1998;
2. the proposed severance allows for the creation of a new building lot that would meet the residential lot area and lot frontage requirements of the RU Zone;

3. The retained parcel would appear to meet the non-residential requirements of the RU Zone;
4. a safe source of drinking water needs to be provided for the severed parcel; confirmation of the quality and quantity of the water supply for the severed parcel needs to be documented;
5. a safe and appropriate septic system needs to be provided for the severed parcel;
6. Municipal policy is to collect a cash-in-lieu of parkland contribution for all new building lots that are created;
7. Municipal policy is to acquire land for a road widening if the road on which the subject lands front does not meet the standard right of way width requirements of the specific road classification (i.e., arterial road).

Conclusion:

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by Jane Ann Bouma to sever the subject lands to create a new rural residential building lot, with a lot area of 0.6 hectares and a lot frontage of 45 metres on the north side of Old Highway 2, subject to the following conditions:

1. the financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property to be satisfied;
2. The City Parks Policy with respect to cash-in-lieu contribution established by the Council of the Corporation of the City of Belleville shall apply to the severed parcel and the necessary payment lodged with the Treasurer of the City of Belleville;
3. the Owner to provide a properly completed Water Well Record for the severed parcel, certifying that the quantity of water on this parcel is not less than 3½ gallons per minute and that the water has passed the Health Unit Bacteriological Test;
4. the Owner to document that a proper sewage system can be accommodated on the severed parcel to the satisfaction of the City of Belleville;
5. 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 Old Highway 2 to a width of 15 metres from the centreline of the road allowance;
6. the necessary deeds to be submitted in triplicate and Conditions 1 to 5 inclusive be fulfilled prior to the issuance of the Consent Certificate;
7. Conditions 1 to 6 inclusive to be fulfilled within one (1) year of the Committee's Decision;
8. Any new development of the severed parcel will be subject to the payment of the applicable development charge.



Spencer Hutchison
Manager of Approvals

MEMORANDUM

To: Spencer Hutchison
Manager, Approvals Section

From: Jeff Shortt,
Engineering Development Technologist

Date: May 23, 2014

Application No. B14/14

Regarding: Committee of Adjustment Application for Consent B14/14
Old Highway 2, Belleville
OWNER: Jane Bouma
AGENT: Arnold Vandermeer

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 Old Highway 2 is designated as an arterial road and requires 30 metres or 99 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 30 metres or 99 feet along both the severed and retained portions of the property.
2. It is noted that Old Highway 2 is a Designated Street. All driveway accesses shall conform to the City's Driveway Control By-Law No. 2001-129.
3. Any existing drains on the retained or severed portions are not to be removed, altered or relocated without the consent of the City.



Jeff Shortt C.E.T



2061 OLD HIGHWAY 2, RR#2, BELLEVILLE, ON, K8N 4Z2
PHONE: (613) 968-3434 • FAX: (613) 968-8240
www.quinteconservation.ca

QUINTE CONSERVATION PLANNING ACT REVIEW

File: Consent B14/14
Lot/Con: Part Lot 29, Concession 1 & Broken Front
Geographic Township: Thurlow
Municipality: City of Belleville
Owner/Agent: Jane Ann Bouma/Arnold H. Vandermeer
Feature: Watercourse draining into the Bay of Quinte on retained lands

Comments for above note application:

As per the application provided to this office, it is our understanding that the proposal will sever a new rural residential parcel.

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)

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

c.c. **Jane Ann Bouma**
Arnold H. Vandermeer

Sam Carney
Technical Administrative Assistant

May 20, 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 June 5, 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 Bob English.

This application is submitted to permit a lot addition between two abutting properties on the west end of Fox Lane. In essence this application is for a lot line adjustment where a parcel of land, approximately 1 acre in size is transferred from the property at 170 Mudcat Road and added to the property at 60 Fox Lane. A sketch of the proposed severance is found on the back of this notice.

No new lot or parcel of land is being created.

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

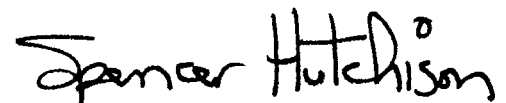
Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to this application or you may be represented by counsel for that purpose.

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

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

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

Dated this 13th day of May, 2014



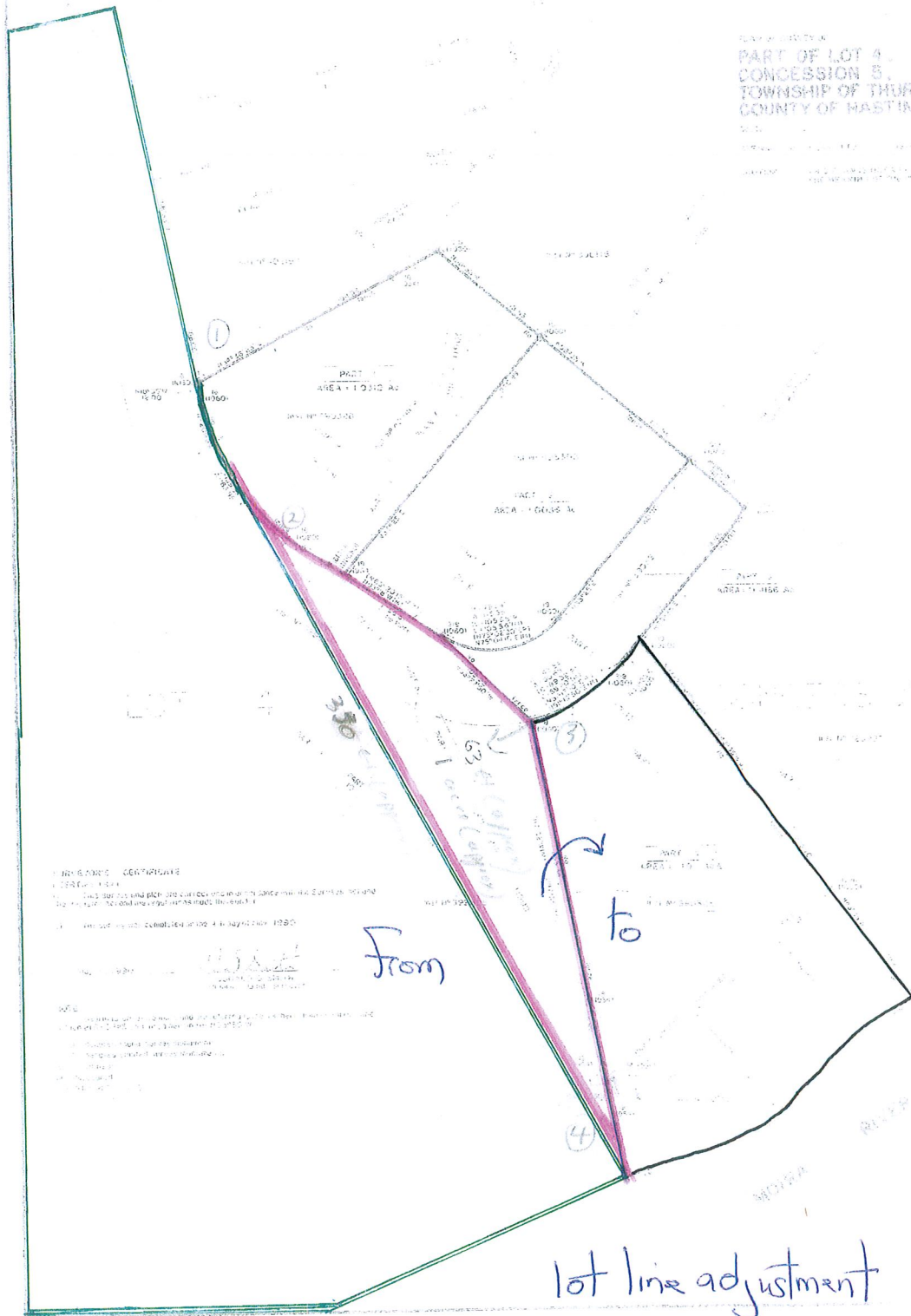
Spencer Hutchison
Secretary-Treasurer
City of Belleville
Committee of Adjustment
169 Front Street
BELLEVILLE, ON
K8N 2Y8

Tel: (613) 967-3234

Email: shutchison@city.belleville.on.ca

COUNTY ROAD N° 5

PART OF LOT 4,
CONCESSION 5,
TOWNSHIP OF THURLOW,
COUNTY OF HASTINGS



1. THE BOUNDARY...
2. THE...
3. THE...
4. THE...

From

to

lot line adjustment

**CONSENT APPLICATION REVIEW
City of Belleville**

Date: May 29, 2014

File No.: B15/14

Location: 170 Mudcat Road/60 Fox Lane

Applicant: Bob English

Proposal: To add a small irregular shaped parcel of land, with an area of approximately 1 acre, from the property at 170 Mudcat Road to the abutting property to the east, located at 60 Fox Lane.

Retained Parcel: frontage: 170 metres
area: \pm 7 hectares
current use: single detached dwelling/rural land
proposed use: no change

Severed Parcel: width: \pm 63 feet
length: \pm 330 feet
area: \pm 1 acre
current use: vacant undeveloped land
proposed use: lot addition (side yard)

Official Plan:

Current Designation: Rural Land Use and Environmental Protection

Permitted Uses: on lands designated Rural Land Use agricultural and residential uses are permitted

The Environmental Protection designation on the land use schedules is intended to define those lands that require special care and regulation due to their inherent natural or physical characteristics.

Zoning By-law 3014:

Current Zoning: H – Hazard Zone

Permitted Uses: existing single family dwelling
existing uses, building or structures

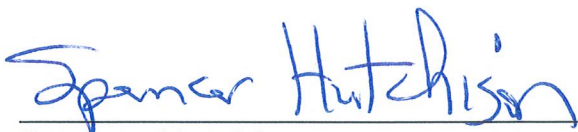
Comments:

1. this proposed severance is in effect a lot line adjustment to straighten a common property line between two neighbours;
2. in doing so, a small parcel of land from the property at 170 Mudcat Road is being added to the west side of the property located at 60 Fox Lane;
3. no new lot is being created;
4. the use of the severed parcel will not change, just the ownership;
5. the retained property at 170 Mudcat Road will still meet all the requirements of the current zoning;
6. it is felt that this application is minor in nature and represents appropriate development.

Conclusion:

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by Bob English to add a small irregular shaped parcel of land, with an area of approximately 1 acre, from the property at 170 Mudcat Road to the abutting property to the east, located at 60 Fox Lane, subject to the following conditions:

1. the financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property to be satisfied;
2. the 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 is subject to this consent;
3. the necessary deeds to be submitted in triplicate and Conditions 1 and 2 inclusive be fulfilled prior to the issuance of the Consent Certificate;
4. Conditions 1 to 3 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,
Engineering Development Technologist

Date: May 23, 2014

Application No. B15/14

Regarding: Committee of Adjustment Application for Consent B15/14
170 Mudcat Road, Belleville
OWNER: Catherine Usborne
AGENT: Bob English

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 Mudcat Road is designated as a collector road and requires 26 metres or 86 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 26 metres or 86 feet along both the severed and retained portions of the property.



Jeff Shortt C.E.T



2061 OLD HIGHWAY 2, RR#2, BELLEVILLE, ON, K8N 4Z2
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www.quinteconservation.ca

QUINTE CONSERVATION PLANNING ACT REVIEW

File: Consent B15/14
Lot/Con: Part Lot 4, Concession 5
Geographic Township: Thurlow
Municipality: City of Belleville
Owner/Agent: Catherine Usborne/Bob English
Feature: Moira River

Comments for above note application:

As per the application provided to this office, it is our understanding that the proposal is for a lot addition to a rural property on Mudcat Road.

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 lie within the regulated area of the Moira River. The owners will need to apply to the Conservation Authority for a permit prior to development (construction / filling/ excavation/ site grading) within 30 metres of the 1:100 year floodplain of Moira River. Through the permit application process, the Authority will identify any potential concerns associated with any natural hazards on the subject lands, and review the permit application in light of Regulation #319/09 and Authority policies before deciding to issue or deny the permit.

c.c. **Catherine Usborne**
Bob English

Sam Carney
Technical Administrative Assistant

May 20, 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 June 5, 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 Courtney McMurter.

This application is submitted to create a new rural residential lot on the north side of Casey Road, just east of Brennan Road. A sketch of the proposed severance is found on the back of this notice.

The proposed severed lot is zoned RU – Rural Zone and would have a minimum lot frontage of 150 feet and a minimum lot area of 1 acre. The RU Zone requires a residential lot to have a minimum lot frontage of 147 feet and a minimum lot area of 1 acre. The severed lot and retained parcel of land are both vacant and undeveloped. However, if approved a new single detached dwelling could be constructed on the severed parcel.

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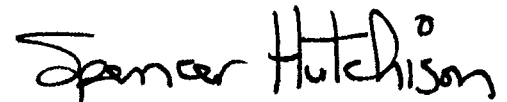
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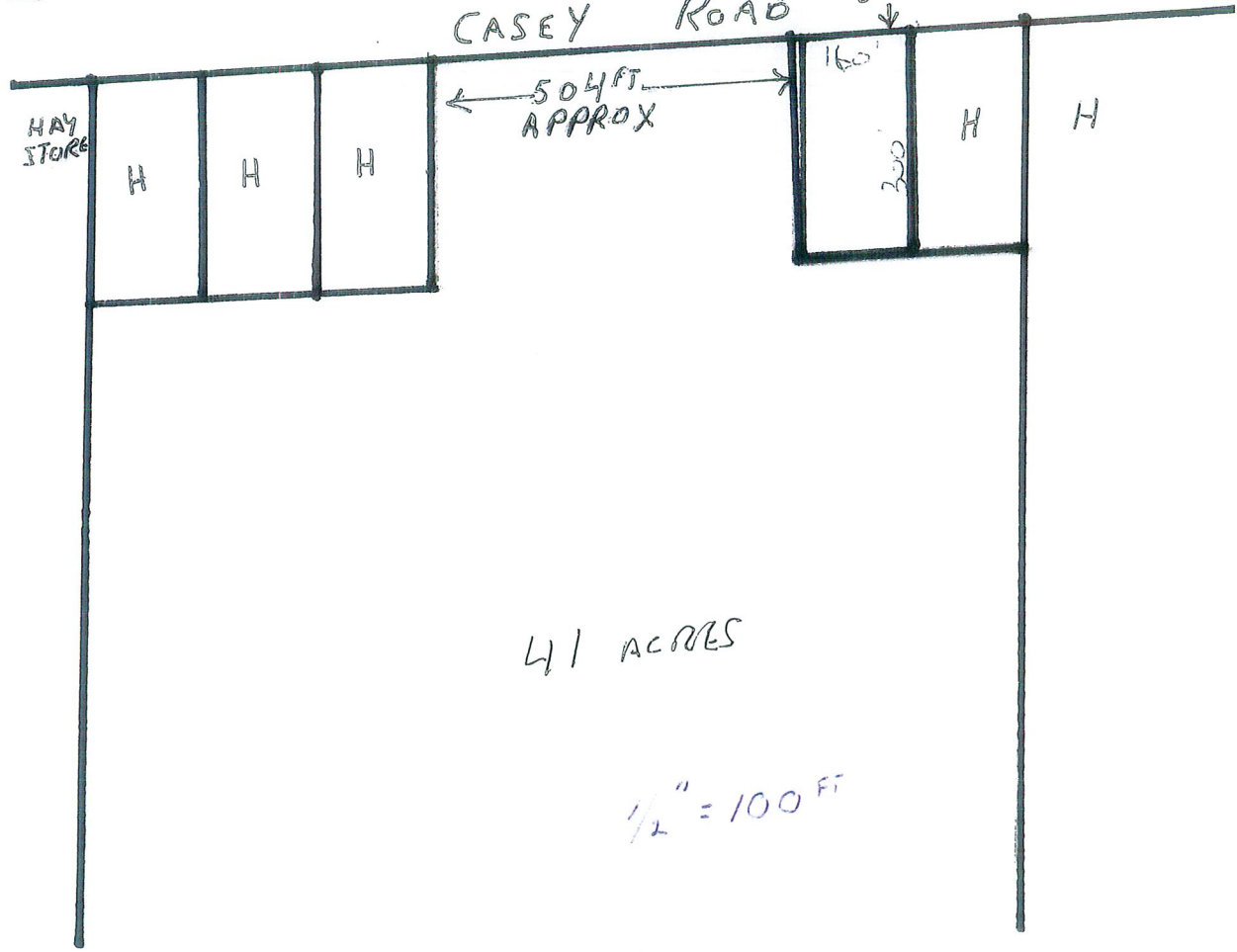
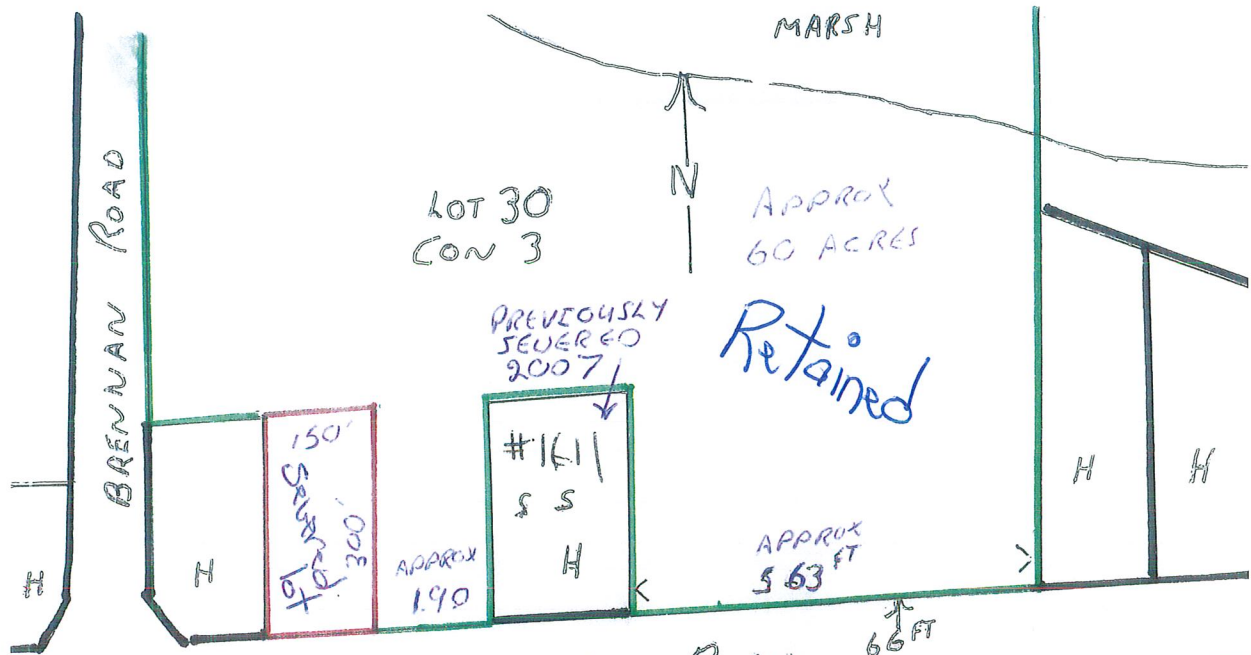
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The lands subject to this application for consent are **not** subject to any other type of planning application.

Dated this 13th day of May, 2014



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



CONSENT APPLICATION REVIEW

City of Belleville

Date: May 29, 2014

File No.: B16/14

Location: Concession 3, Pt Lot 30
1605 Casey Road

Applicant: Courtney and Elaine McMurter

Proposal: To sever the subject lands to create a new rural residential building lot, with a lot area of 1 acre and a lot frontage of 150 feet on the north side of Casey Road.

Retained Parcel:

frontage:	approximately 700 feet
area:	approximately 60 acres
current use:	farm land
proposed use:	no change

Severed Parcel:

frontage:	150 feet
area:	1 acre
current use:	farm land
proposed use:	single detached dwelling

Official Plan:

Current Designation: Rural Land Use

Permitted Uses: a variety of land uses including agricultural and residential uses

Consent policies: consents to create lots for residential purposes may be granted provided that no more than 2 parcels are granted from any parcel larger than 2 hectares existing on January 1, 1998

Zoning By-law 3014:

Current Zoning: RU – Rural Zone

Permitted Uses: single family dwelling or farm

Minimum lot area: 1 acre (residential)
40 acres (non-residential)

Minimum lot frontage: 150 feet (residential)
230 feet (non-residential)

Comments:

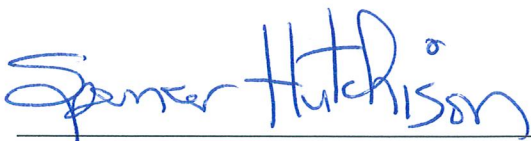
1. policies in the Official Plan permit the severance of a building lot from the subject lands; there has been one previous severances since 1998;
2. the proposed severance allows for the creation of a new building lot that would meet the residential lot area and lot frontage requirements of the RU Zone;

3. The retained parcel would appear to meet the non-residential requirements of the RU Zone;
4. a safe source of drinking water needs to be provided for the severed parcel; confirmation of the quality and quantity of the water supply for the severed parcel needs to be documented;
5. a safe and appropriate septic system needs to be provided for the severed parcel;
6. Municipal policy is to collect a cash-in-lieu of parkland contribution for all new building lots that are created;
7. Municipal policy is to acquire land for a road widening if the road on which the subject lands front does not meet the standard right of way width requirements of the specific road classification (i.e., local road).

Conclusion:

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by Courtney and Elaine McMurter to sever the subject lands to create a new rural residential building lot, with a lot area of 1 acre and a lot frontage of 150 feet on the north side of Casey Road, subject to the following conditions:

1. the financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property to be satisfied;
2. The City Parks Policy with respect to cash-in-lieu contribution established by the Council of the Corporation of the City of Belleville shall apply to the severed parcel and the necessary payment lodged with the Treasurer of the City of Belleville;
3. the Owner to provide a properly completed Water Well Record for the severed parcel, certifying that the quantity of water on this parcel is not less than 3½ gallons per minute and that the water has passed the Health Unit Bacteriological Test;
4. the Owner to document that a proper sewage system can be accommodated on the severed parcel to the satisfaction of the City of Belleville;
5. 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 Casey Road to a width of 10 metres from the centreline of the road allowance;
6. the necessary deeds to be submitted in triplicate and Conditions 1 to 5 inclusive be fulfilled prior to the issuance of the Consent Certificate;
7. Conditions 1 to 6 inclusive to be fulfilled within one (1) year of the Committee's Decision;
8. Any new development of the severed parcel will be subject to the payment of the applicable development charge.



Spencer Hutchison
Manager of Approvals

MEMORANDUM

To: Spencer Hutchison
Manager, Approvals Section

From: Jeff Shortt,
Engineering Development Technologist

Date: May 23, 2014

Application No. B16/14

Regarding: Committee of Adjustment Application for Consent B16/14
1605 Casey Road, Belleville
OWNER: Courtney & Elaine McMurter
AGENT: Courtney McMurter

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 Casey Road 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. The applicant shall be advised that Brennan Road is designated as a collector road and requires 26 metres or 86 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 26 metres or 86 feet along both the severed and retained portions of the property.
3. Any existing drains on the retained or severed portions are not to be removed, altered or relocated without the consent of the City.



Jeff Shortt C.E.T



2061 OLD HIGHWAY 2, RR#2, BELLEVILLE, ON, K8N 4Z2
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www.quinteconservation.ca

QUINTE CONSERVATION PLANNING ACT REVIEW

File: Consent B16/14
Lot/Con: Part Lot 30, Concession 3
Geographic Township: Thurlow
Municipality: City of Belleville
Owner/Agent: Courtney & Elaine McMurter
Feature: Unnamed wetland on retained lands

Comments for above note application:

As per the application provided to this office, it is our understanding that the proposal will sever a rural residential parcel with frontage onto Casey Road.

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 retained lands lie within the regulated area of an unnamed wetland. The owners will need to apply to the Conservation Authority for a permit prior to development (construction / filling/ excavation/ site grading) within 120 metres of the wetland boundary. Through the permit application process, the Authority will identify any potential concerns associated with any natural hazards on the subject lands, and review the permit application in light of Regulation #319/09 and Authority policies before deciding to issue or deny the permit.

c.c. **Courtney & Elaine McMurter**

Sam Carney
Technical Administrative Assistant

May 20, 2014
Date

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COMMITTEE OF ADJUSTMENT
NOTICE OF CONSENT APPLICATION**

TAKE NOTICE that the City of Belleville Committee of Adjustment will hold a meeting on **Thursday June 5, 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 Van Meer Limited.

This application is submitted to create a total of 6 new residential lots on the east side of Cannifton Road North and the west side of Lywood Street. Currently situated on the subject lands is a 1-storey single detached dwelling with a detached garage which would be demolished. A sketch of the proposed severances is attached to this notice.

The proposed use and dimensions of the proposed new lots are as follows:

LOT	FRONTAGE (m)	DEPTH (m)	AREA (sq.m.)	PROPOSED USE
1	17.3	39.2	685.3	detached residential
2	11.0	40.2	442.6	semi-detached residential
3	11.0	40.2	442.5	semi-detached residential
4	17.3	40.2	697.7	detached residential
5	11.0	40.3	443.6	semi-detached residential
6	11.0	40.3	443.6	semi-detached residential

As noted, if approved, two of the new lots would be for a single detached dwelling while four of the lots would be for four semi-detached dwellings.

This land is currently zoned R1 – Residential First Density Zone which only permits a single detached dwelling on a lot with a minimum lot frontage of 18 metres and a minimum lot area of 550m². The applicant has requested that the subject land be rezoned to the R2 Zone which permits semi-detached dwellings on a lot with a minimum lot frontage of 10.5m and a minimum lot area of 325m². A lot for a single detached dwelling in the R2 Zone requires a minimum lot frontage of 18 metres and a minimum lot area of 550m².

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

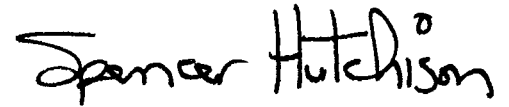
Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to this application or you may be represented by counsel for that purpose.

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

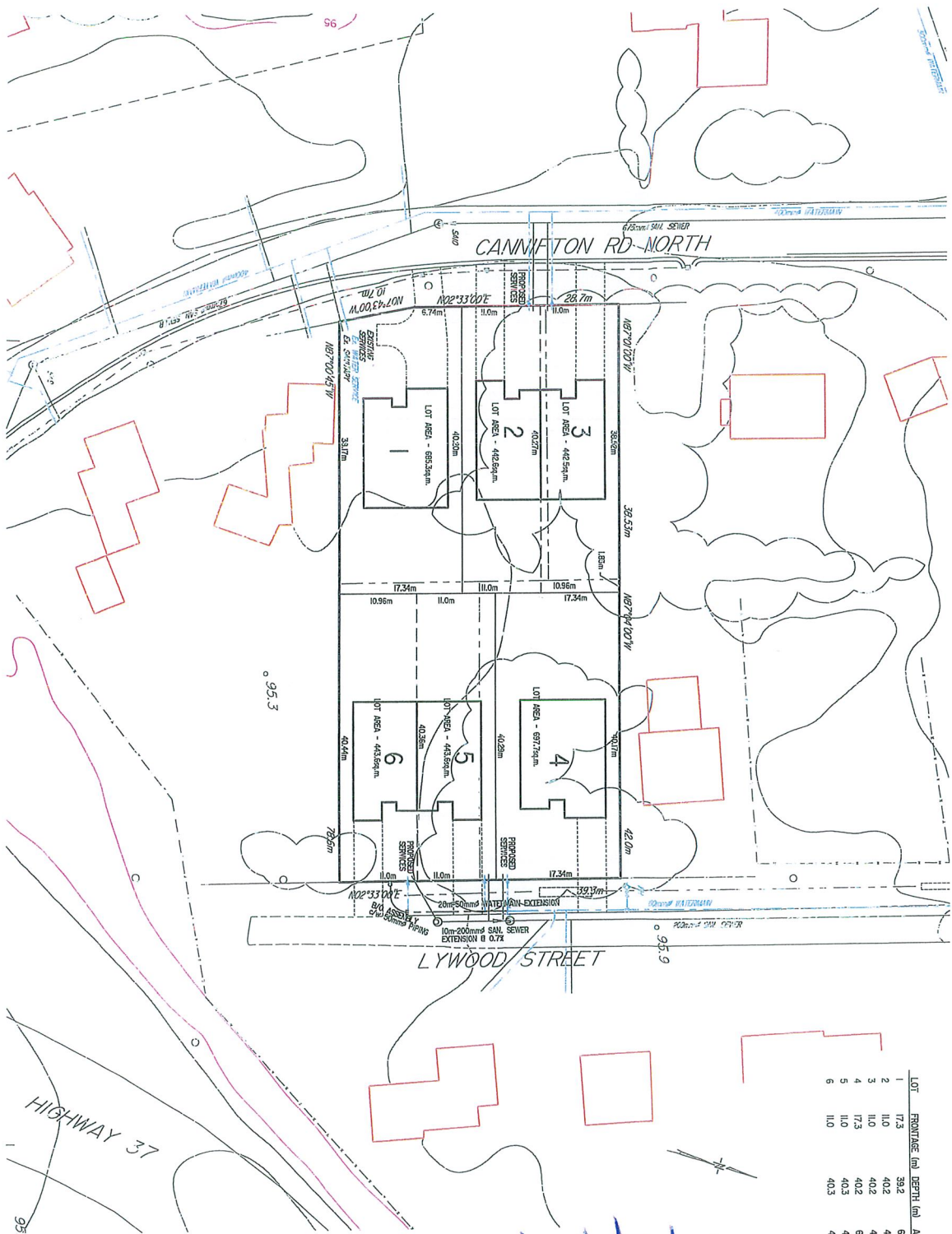
If a person or public body that files an appeal of a decision of the City of Belleville Committee of Adjustment in respect of the proposed consent does not make a written submission to the City of Belleville Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario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

The lands subject to this application for consent are currently subject to a rezoning application (File No.: B77-958).

Dated this 13th day of May, 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 'i' 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



*1 + 4 = single detached
 2 + 3 > semi-detached
 5 + 6*

LOT	FRONTAGE (m)	DEPTH (m)	AREA (sq.m)	PROPOSED USE
1	17.3	39.2	685.3	DETACHED RESIDENTIAL
2	11.0	40.2	442.5	SEMI-DETACHED RESIDENTIAL
3	11.0	40.2	442.5	SEMI-DETACHED RESIDENTIAL
4	17.3	40.2	697.7	DETACHED RESIDENTIAL
5	11.0	40.3	443.6	SEMI-DETACHED RESIDENTIAL
6	11.0	40.3	443.6	SEMI-DETACHED RESIDENTIAL

CONSENT APPLICATION REVIEW

City of Belleville

Date: May 30, 2014

File No.: B17/14 to B20/14

Location: 38 Cannifton Road North

Applicant: Cobblestone Homes Quinte Inc.

Proposal: To sever the subject lands to create 6 residential lots, 3 located on the east side of Cannifton Road North and 3 located on the west side of Lywood Street, as shown on the chart below.

PARCEL	ADDRESS	FRONTAGE	AREA	USE
1	Cannifton Rd. N.	17.3 m	685.3 m ²	Single detached dwelling
2	Cannifton Rd. N.	11.0 m	442.6 m ²	Semi-detached dwelling
3	Cannifton Rd. N.	11.0 m	442.5 m ²	Semi-detached dwelling
4	Lywood St.	17.3 m	697.7 m ²	Single detached dwelling
5	Lywood St	11.0 m	443.6 m ²	Semi-detached dwelling
6	Lywood St	11.0 m	443.6 m ²	Semi-detached dwelling

Official Plan:

Current Designation: Commercial Land Use/Cannifton Planning Area

Permitted 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

Zoning By-law 3014:

Current Zoning: R1 – Residential First Density Zone

Permitted Use: single detached dwelling only

Minimum lot area: 550 m²
Minimum lot frontage: 18 metres

Requested Zoning: R2 – Residential Second Density Zone

Permitted Uses: single detached dwelling and semi-detached dwelling

Minimum lot area: 550 m² (single) 325 m² (semi)
Minimum lot frontage: 18 metres (single) 10.5 metres (semi)

Comments:

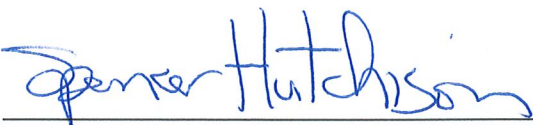
1. by way of background the subject lands are the subject of a concurrent rezoning application; the rezoning application was presented to the Planning Advisory Committee meeting on May 5th but the application was tabled because the applicant was not in attendance and the nature of the proposal was not clear to the Committee;
2. the application will be brought back to the July Planning Advisory Committee meeting;
3. it is noted that the area of notification for the planning meeting was 400 feet from the subject property and included a notice in the newspaper;
4. the notification area for these severance applications is 200 feet and does not include a newspaper ad;
5. several neighbours to the subject lands spoke to the Planning Committee;
6. subsequently these severance applications were submitted to get the matter of the creation of the six lots dealt with;
7. the property at 38 Cannifton Road North is a large and under-utilized residential property; clearly there is an opportunity for infill development;
8. the Provincial Policy Statement (PPS) requires all Planning authorities to 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;
9. thus 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;
10. the PPS also requires that appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while maintaining appropriate levels of public health and safety;
11. as noted above, the Official Plan allows residential development in this area since the majority of uses on nearby properties are residential in nature;
12. subject to the rezoning of the property to a specialized R2 Zone the proposed severances allow for the creation of 6 new infill residential building lots, that would all meet the lot area requirements of the R2 Zone and the 4 lots for the semi-detached dwellings would also meet the lot frontage requirements of the R2 Zone; the 2 proposed single detached lots would have a small deficiency of 0.7 metres in lot frontage;
13. it would appear that a single detached or semi-detached dwelling could be constructed on each of the 6 parcels of land, as the case would be, that would meet the setback requirements of the R2 Zone;
14. the severed parcels will each require their own separate water and sewer services;
15. a drainage plan for the severed parcels will be required to ensure stormwater does not negatively impact abutting properties;
16. because of the magnitude of the proposed development (ie: 6 lots), the future development of the subject lands should be controlled by a Site Plan Agreement pursuant to Section 41 of the Planning Act; in this way the location of the

driveways, the method of servicing the property and stormwater management, etc. can all be coordinated;

17. Municipal policy is to collect a cash-in-lieu of parkland contribution for all new building lots that are created;
18. it is felt that these proposed severance applications represent appropriate development that meets the intent of the City's Official Plan and Zoning By-law.

Conclusion:

1. Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by Cobblestone Homes Quinte Inc. to sever the subject lands to create a total of 6 residential lots, 3 located on the east side of Cannifton Road North and 3 located on the west side of Lywood Street, as shown on the chart on Page 1 above, subject to the following conditions:
 1. the financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property to be satisfied;
 2. the subject lands are rezoned to an appropriate residential zone to allow the size and use of the six proposed lots;
 3. that 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;
 4. that the applicant deed (convey) to the City free of encumbrance a strip of land across the frontage of the subject and retained parcels to widen Cannifton Road North to a width of 13 metres from the centreline of the Cannifton Road road allowance, and also a strip of land across the frontage of the subject and retained parcels to widen Lywood Street to a width of 10 metres from the centreline of the Lywood Street road allowance;
 5. that the subject lands will be subject to site plan review and approval and issues such as lot drainage, stormwater management, servicing and driveway location will have to be addressed;
 6. the necessary deeds to be submitted in triplicate and Conditions 1 to 5 inclusive be fulfilled prior to the issuance of the Consent Certificate;
 7. Conditions 1 to 6 inclusive to be fulfilled within one (1) year of the Committee's Decision.
 8. the severed parcel and the retained parcel will have to be independently connected to Municipal services;



Spencer Hutchison
Manager of Approvals

MEMORANDUM

To: Spencer Hutchison
Manager, Approvals Section

From: Jeff Shortt,
Engineering Development Technologist

Date: May 23, 2014

Application No. B17/14 – B20/14

Regarding: Committee of Adjustment Application for Consent B17/14 – B20/14
38 Cannifton Road North, Belleville
OWNER: Graham Cobb
AGENT: Arnold Vandermeer

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 the property will need to be developed in accordance with a Development Agreement entered into with the City, which among other items may include the preparation of a Lot Grading and Drainage Plan, the extension of sanitary and water mains on Lywood Street and the provision of driveways in conformance with the City's Driveway Control By-Law No. 2001-129, all to the satisfaction of the City.
2. The applicant shall be advised that Lywood 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.
3. The applicant shall be advised that Cannifton Road North is designated as a collector road and requires 26 metres or 86 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 26 metres or 86 feet along both the severed and retained portions of the property.

Jeff Shortt C.E.T

**CITY OF BELLEVILLE**

Spencer Hutchison, Secretary Treasurer, Committee of Adjustment
Report No. APS-2014-17
June 5, 2014

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

Subject: Request for inclusion of revised Severance Policies in New Official Plan
In-fill Development

Background:

The members of the City of Belleville Committee of Adjustment have requested that I write the Planning Advisory Committee to express the Committee of Adjustment's interest in ensuring that the current severance policies in the City's Official Plan are updated to provide better direction and guidance when it comes to infill development.

Since the Ontario Municipal Board decision on the severance application for 201 MacDonalld Avenue in 2011, the City's Official Plan has been shown to be deficient in policies when a severance application is submitted for a property in an older, built up area of the municipality.

Moving forward, the Committee of Adjustment receives a minimum of two or three severance applications each year where a larger underutilized residential property is to be severed to create a new infill residential lot. Invariably the neighbours and the Committee wish to ensure that, if approved, the new dwelling "fits in" with the existing neighbourhood. However, as currently written, the City's Official Plan does not provide the policy framework to adequately address this issue.

Thus, it is respectfully requested that in drafting the new Official Plan, new policies be drafted to address this shortcoming. Furthermore, the Committee of Adjustment would welcome the opportunity to clarify their comments at an appropriate time and venue.

Respectfully submitted.

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

Spencer Hutchison/cm