# *DECISION*

***of the***

***BELLEVILLE COMMITTEE OF ADJUSTMENT***

Belleville, Ontario
Date: March 21, 2019
File: A 5/19

RE: Minor Variance
249 William Street
Owner: Rentx Group
Agent: Christine Stevenson, Community Partners for Success

The Belleville Committee of Adjustment has reached the following decision:

THAT the application requesting relief from the R4 – Residential Fourth Density Zone of By-Law No. 10245, as amended,

to permit a Day Nursery within a portion of the existing building, and to obtain relief from the requirement to provide 7 sq. m. per child of outdoor play space;

with respect to the property municipally known as 249 William Street;

which parcel is shown on the sketch which accompanied the application;

**BE DENIED.**

The Decision has been made for the following reasons:

1. The Committee heard from the applicant, as well as from neighbouring residents. It was noted that outdoor play space is further regulated by the Ministry of Education, but the Committee expressed concern about using what seems like a relatively small area at the back of the building. Neighbours also expressed concerns around pickup and drop-off parking impacting negatively on William Street and the laneway running between William and Ann Streets.

2. City staff comments before the Committee suggested that the creation of play space over the existing driveway at the rear of the building would significantly impact on the usability of the parking lot, as the one-way aisle would become two-way and turning around to exit the lot safely would be very difficult.

3. The Committee concluded that with respect to Section 45 (1) of the *Planning Act*, as amended, the variance is not desirable for the appropriate development or use of land, building or structure.

Certified a true and correct copy of the Decision of the Belleville Committee of Adjustment with respect to Application Number A 5/19 passed at a meeting of the said Committee held on the 21st day of March, 2019.

SECRETARY-TREASURER

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

(Sgd.) B. Miller

(Sgd.) R. Kranendonk

(Sgd.) G. May-Anderson

(Sgd.) C. Merrill

(Sgd.) B. Sandison

(Sgd.) S. Smith

# *DECISION*

***of the***

## *BELLEVILLE COMMITTEE OF ADJUSTMENT*

Belleville, Ontario
Date: March 21, 2019
File: A 4/19

RE: Minor Variance
111 Great St. James Street
Owner: Phil Spry, Springale-All-Together Affordable Housing
Agent: Andy Spry, Elbee Construction

The Belleville Committee of Adjustment has reached the following decision:

THAT the application requesting relief from the R6 –35 - Residential Sixth Density Zone of By-Law No. 10245, as amended,

to reduce the number of on-site parking spaces required from 1.25 per unit to 0.8 per unit, and to increase the maximum building height from 10.6 m to 12.0 m;

with respect to the property municipally known as 111 Great St. James Street;

which parcel is shown on the sketch which accompanied the application;

**BE APPROVED**

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

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

Certified a true and correct copy of the Decision of the Belleville Committee of Adjustment with respect to Application Number A 4/19 passed at a meeting of the said Committee held on the 21st day of March, 2019.

SECRETARY-TREASURER

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

(Sgd.) B. Miller

(Sgd.) R. Kranendonk

(Sgd.) G. May-Anderson

(Sgd.) C. Merrill

(Sgd.) B. Sandison

(Sgd.) S. Smith

***DECISION***

***of the***

***BELLEVILLE COMMITTEE OF ADJUSTMENT***

Belleville, Ontario
Date: March 21, 2019
File: B 4/19

RE: Land Severance
137 Lahr Drive
Owner: Vivek Datta, 2048895 Ontario Limited
Agent: RFA Planning Consultant, Spencer Hutchison

The Belleville Committee of Adjustment has reached the following decision:

THAT the Committee gives its consent to the separation and conveyance of part of the property municipally known as 137 Lahr Drive;

to sever the subject lands to create a new industrial building lot with a lot frontage of 75.87 m on the west side of University Avenue and an area of 2.2 hectares;

| | | |
|---|---|---|
| **Retained Parcel:** | frontage: | 93.67 m |
| | area: | 2.0 ha |
| **Severed Parcel:** | frontage: | 75.87 m |
| | area: | 2.2 ha |

the said parcel of land being within the MCP-1 and MCP-2 Zones of By-law 10245, as amended;

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

(a) The financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property be satisfied;

(b) The City Parks Policy with respect to cash-in-lieu contribution established by the City of Belleville shall apply to the severed parcels and the necessary payment lodged with the Treasurer of the City of Belleville;

(c) The applicant deeding (conveying) to the City free of encumbrance a strip of land across the frontage of the retained parcel to widen Lahr Drive to a width of 10 metres from the centreline of the road allowance;

(d) The applicant deeding (conveying) to the City free of encumbrance a strip of land across the frontage of the severed parcel to widen University Avenue to a width of 13 metres from the centreline of the road allowance;

(e) The necessary deeds to be submitted in triplicate and Conditions (a) to (d) inclusive be fulfilled prior to the issuance of the Consent Certificate;

(f) Conditions (a) to (e) inclusive be fulfilled prior to the 21st day of March, 2020;

(g) Any new development of the severed parcel will be subject to the payment of the applicable development charge;

(h) Separate Municipal services will be required for both the severed and retained parcels of land

The Decision has been made for the following reasons:

1. City Staff and Agencies circulated this application offered no objection to the consent. A representative for a nearby property owner requested that the City retain a 5m easement across the southern boundary of the severed parcel to enable the creation of a future municipal road. The committee discussed and felt it was outside their powers in the context of the application.

2. The Committee of Adjustment was satisfied that a Plan of Subdivision, under Section 51 of the *Planning Act*, as amended, of the land described in the application is not necessary for the proper and orderly development of the Municipality.

3. In considering the application, the Committee had regard to all items listed in Subsection 51(24) of the *Planning Act*, as amended, and felt that granting Consent to the application subject to the above conditions should not prejudice the public interest.

Decision of the Belleville Committee of Adjustment with respect to Application Number B 4/19 passed at a meeting of the said Committee held on the 21st day of March, 2019.

SECRETARY-TREASURER

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

((Sgd.) B. Miller

(Sgd.) R. Kranendonk

(Sgd.) G. May-Anderson

(Sgd.) C. Merrill

(Sgd.) B. Sandison

(Sgd.) S. Smith

***DECISION***

***of the***

***BELLEVILLE COMMITTEE OF ADJUSTMENT***

Belleville, Ontario
Date: March 21, 2019
File: B 5/19

RE: Land Severance
53 & 55 South George Street
Owner: David & Janet Demaiter

The Belleville Committee of Adjustment has reached the following decision:

THAT the Committee gives its consent to the separation and conveyance of part of the property municipally known as 53 & 55 South George Street;

to sever the subject lands to re-establish separate residential lots with lot frontages of 43 and 42 feet (13.1 and 12.8 m), respectively along the east side of South George Street and with lot areas of 7,095 and 6,930 square feet (659 and 643 $m^2$), respectively;

| | | |
|---|---|---|
| **Retained Parcel:** | frontage: | 43 feet |
| | area: | 7,095 $ft^2$ |
| **Severed Parcel:** | frontage: | 42 feet |
| | area: | 6,930 $ft^2$ |

the said parcel of land being within the R2-1 - Zone of By-law 10245, as amended;

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

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

(a) The financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property be satisfied;

(b) The Owner deeding (conveying) to the City free of encumbrance a strip of land across the frontage of the severed and retained parcels to widen South George Street to a width of 10 metres from the centreline of the road allowance, to the satisfaction of the Approvals Section;

(c) the severed parcel and the retained parcel being independently connected to Municipal services if they are not already;

(d) The Owner submits the necessary deeds to be submitted in triplicate and Conditions (a) to (c) be fulfilled prior to the issuance of the Consent Certificate;

(e) Conditions (a) to (d) inclusive be fulfilled prior to the 21st day of March, 2020.

The Decision has been made for the following reasons:

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

Decision of the Belleville Committee of Adjustment with respect to Application Number B 5/19 passed at a meeting of the said Committee held on the 21st day of March, 2019.

SECRETARY-TREASURER

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

(Sgd.) B. Miller

(Sgd.) R. Kranendonk

(Sgd.) G. May-Anderson

(Sgd.) C. Merrill

(Sgd.) B. Sandison

(Sgd.) S. Smith

***DECISION***

***of the***

***BELLEVILLE COMMITTEE OF ADJUSTMENT***

Belleville, Ontario
Date: March 21, 2019
File: B 6/19

RE: Land Severance
74 Sunningdale Drive
Owner: Reginald Barkema
Agent: Bryon Keene, Jewell Engineering

The Belleville Committee of Adjustment has reached the following decision:

THAT the Committee gives its consent to the separation and conveyance of part of the property municipally known as 74 Sunningdale Drive;

to sever the subject lands to create a new parcel of land comprising a draft approved residential plan of subdivision that will have lot frontage of 20 metres at the east end of Corrigan Place, and 20 metres at the north end of Abbott Street, both in the Settlers Ridge Subdivision, and an area of approximately 8.5 hectares;

| | | |
|---|---|---|
| **Retained Parcel:** | frontage: | approximately 65 metres |
| | area: | approximately 24.7 hectares |
| **Severed Parcel:** | frontage: | 40 metres |
| | area: | approximately 8.5 hectares |

the said parcel of land being within the PA – Prime Agriculture Zone of By-law 10245, as amended;

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

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

(a) The financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property be satisfied;

(b) That the severed parcel of land be the same size and configuration as the draft approved plan of subdivision for these lands;

(c) 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 Sunningdale Drive to a width of 10 metres from the centreline of the road allowance, to the satisfaction of the Approvals Section;

(d) The Owner submits the necessary deeds to be submitted in triplicate and Conditions (a) to (c) be fulfilled prior to the issuance of the Consent Certificate;

(e) Conditions (a) to (d) inclusive be fulfilled prior to the 21st day of March, 2020.

The Decision has been made for the following reasons:

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

Decision of the Belleville Committee of Adjustment with respect to Application Number B 6/19 passed at a meeting of the said Committee held on the 21st day of March, 2019.

SECRETARY-TREASURER

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

(Sgd.) B. Miller

(Sgd.) R. Kranendonk

(Sgd.) G. May-Anderson

(Sgd.) C. Merrill

(Sgd.) B. Sandison

(Sgd.) S. Smith

***D E C I S I O N***

***of the***

***BELLEVILLE COMMITTEE OF ADJUSTMENT***

Belleville, Ontario
Date: March 21, 2019
File: B 7/19

RE: Land Severance
Highway 62, adjacent to 74 Sunningdale Drive
Owner: Reginald Barkema
Agent: Bryon Keene, Jewell Engineering

The Belleville Committee of Adjustment has reached the following decision:

THAT the Committee gives its consent to the separation and conveyance of part of the property municipally known as Concession 3, part of lot 3, Highway 62;

to sever the subject lands along the southern boundary of the Enbridge Pipeline Easement that bisects the property, creating a severed parcel with an area of approximately 3.9 hectares, and to add such severed parcel onto another property to the south that would have frontage on Towncentre Drive;

| | | |
|---|---|---|
| **Retained Parcel:** | frontage: | approximately 20.3 metres on Highway 62 |
| | area: | approximately 6.1 hectares |
| **Severed Parcel:** | frontage: | nil |
| | area: | approximately 3.9 hectares |

the said parcel of land being within the D – Development (C1 – Highway Commercial at access to Hwy 62) Zone of By-law 3014, as amended;

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

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

(a) The financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property be satisfied;

(b) The severed parcel be deeded as a lot addition to the adjoining property to the south along Towncentre Drive, 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 parcels of land that are subject to this consent;

(c) The Owner submits the necessary deeds to be submitted in triplicate and Conditions (a) to (b) be fulfilled prior to the issuance of the Consent Certificate;

(d) Conditions (a) to (c) inclusive be fulfilled prior to the 21st day of March, 2020.

The Decision has been made for the following reasons:

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

Decision of the Belleville Committee of Adjustment with respect to Application Number B 7/19 passed at a meeting of the said Committee held on the 21st day of March, 2019.

SECRETARY-TREASURER

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

(Sgd.) B. Miller

(Sgd.) R. Kranendonk

(Sgd.) G. May-Anderson

(Sgd.) C. Merrill

(Sgd.) B. Sandison

(Sgd.) S. Smith