

3. GENERAL BUSINESS

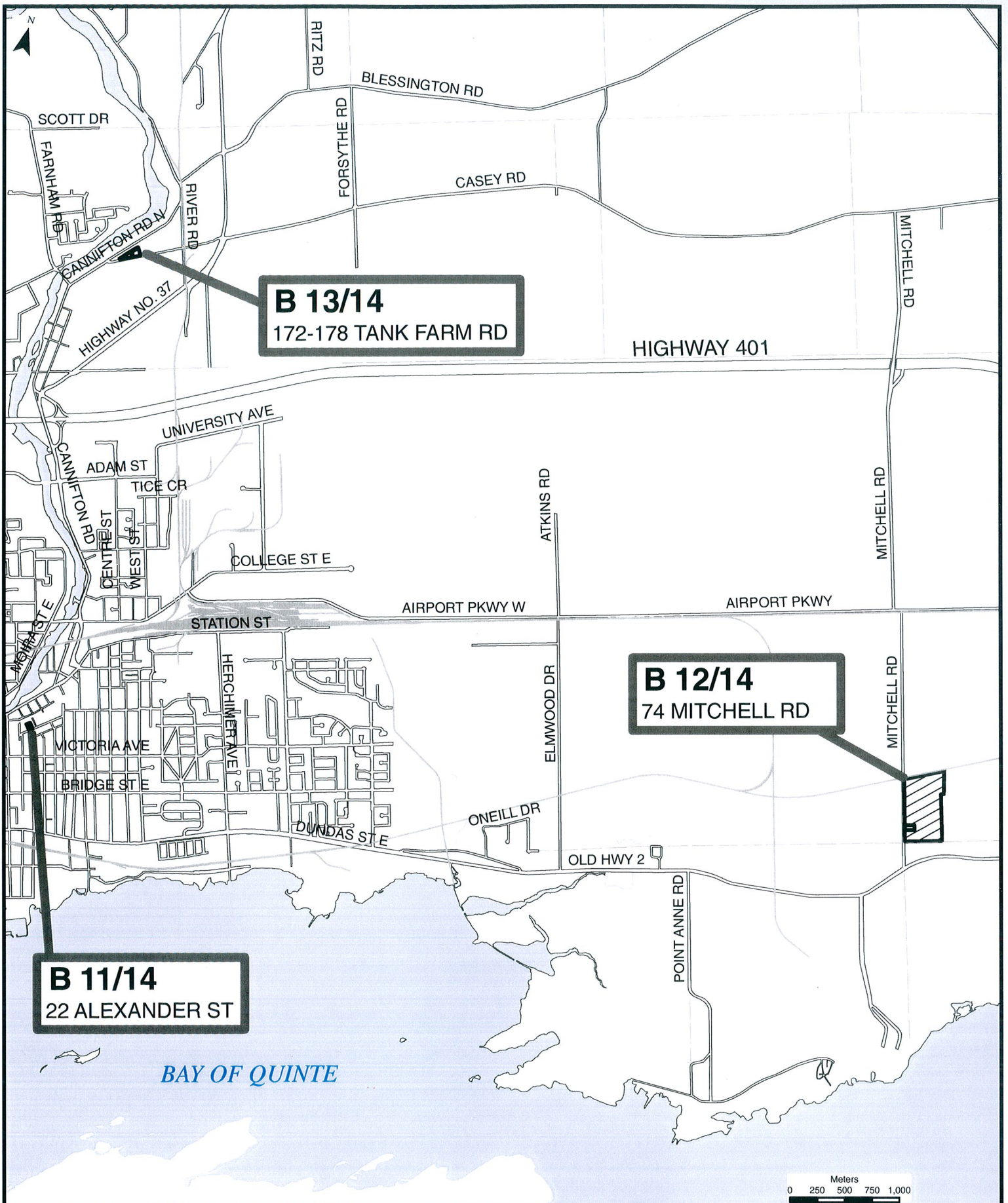
- a) Confirmation of the Minutes of the regular meeting of the Belleville Committee of Adjustment held on April 24, 2014.

4. CORRESPONDENCE

5. OTHER BUSINESS

6. OLD BUSINESS

7. ADJOURNMENT



Committee of Adjustment Location Map



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT
MAY 15, 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 May 15, 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 Robert Graham.

This application is submitted to create a new residential lot on the north side of Alexander Street, east of John Street. Currently situated on the subject lands is an older 2-storey single detached dwelling with a detached garage. A sketch of the proposed severance is found on the back of this notice.

The proposed severed lot is zoned R4 – Residential Fourth Density Zone and would have a minimum lot frontage of 50 feet and a minimum lot area of 9,250ft². The R4 Zone requires a lot to have a minimum lot frontage of 39.4 feet and a minimum lot area of 4,000ft².

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.

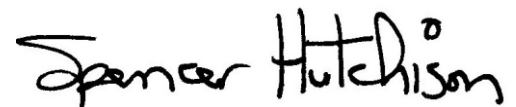
Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to this application or you may be represented by counsel for that purpose.

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 25th day of April, 2014



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

HASLETT'S PLAN

NOTE

Bearings are astronomic and are derived from the south limit of Alexander Street shown on Plan 21R-8017 at N 49° 24' 00" E.



LEGEND

- denotes Survey Monument Planted
- INST. N^o Survey Monument Found
- m. Instrument Number
- R.P. Registered Plan
- JTR-1 Plan by J.T. Ransom O.L.S. dated Sept. 23, 1957
- JTR-2 Plan by J.T. Ransom O.L.S. dated Dec. 14, 1955.
- R.D.B. Plan by R.D. Boyce O.L.S. dated April 25, 1986

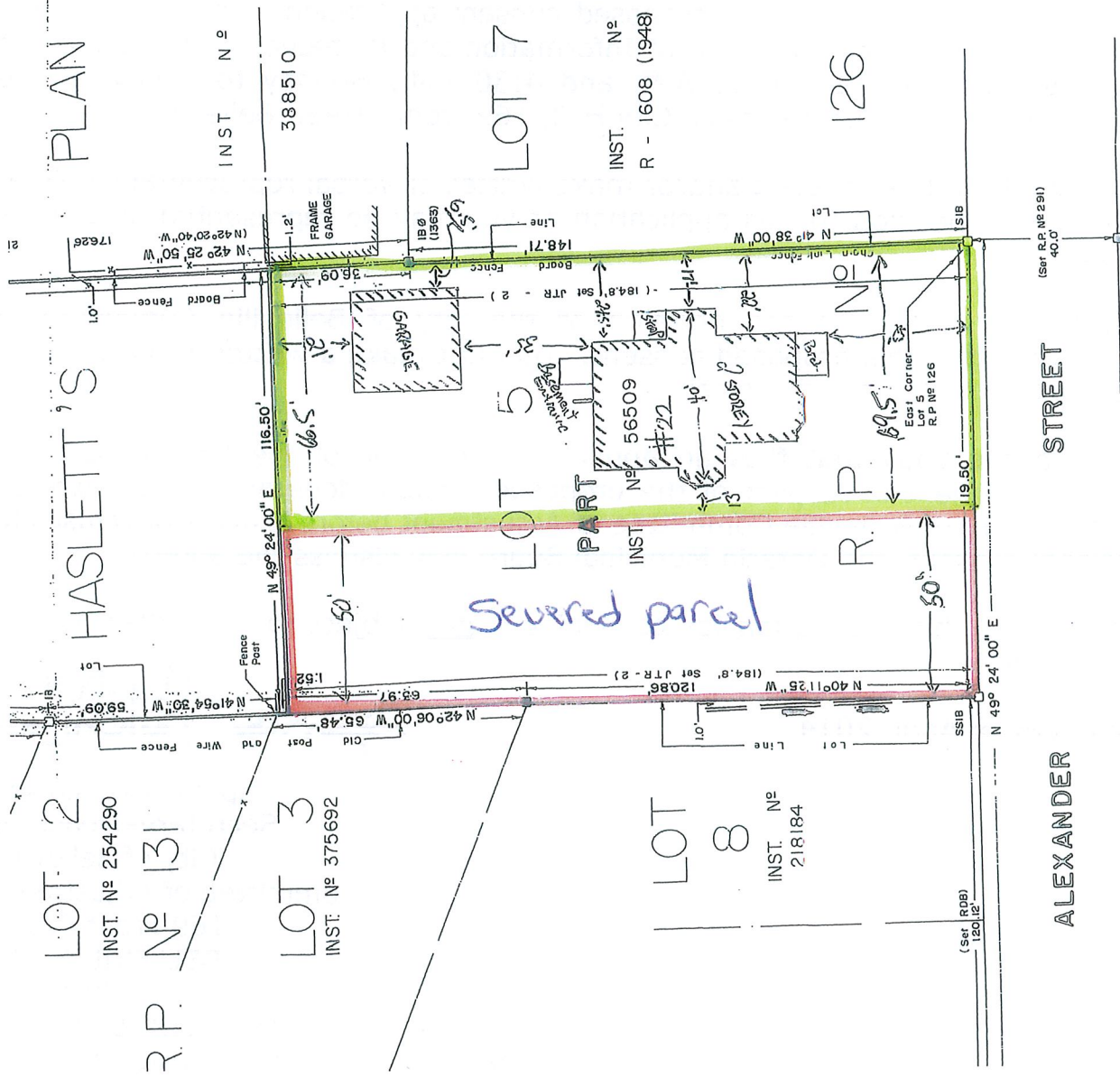
SURVEYORS CERTIFICATE

I CERTIFY THAT

1. This survey and plan are correct and in accordance with THE SURVEYS ACT and THE REGISTRY ACT and the regulations made thereunder
2. The survey was completed on the 29th day of June, 1988

[Signature]
 Darrell L. Hume
 Ontario Land Surveyor

July 11, 1988.



PART 1
 PLAN 21R-8017

DRAWN BY: R. McMartin
 PARTY CHIEF: S. Collins

HUME and PICKARD LTD.
 Ontario Land Surveyors

ALEXANDER STREET

(Ser. R.P. No. 291)
 40.0'

(Ser. R.D.B.)
 120.12'

**CONSENT APPLICATION REVIEW
City of Belleville**

Date: **May 8, 2014**

File No.: **B11/14**

Location: **22 Alexander Street**

Applicant: **Robert Graham**

Proposal: To sever the subject lands to create a new residential building lot with a minimum lot area of 9,250ft² and a minimum lot frontage of 50 feet on the north side of Alexander Street.

Retained Parcel: frontage: 69.5 feet
 area: 12,857ft²
 current use: single detached dwelling
 proposed use: no change

Severed Parcel: frontage: 50 feet
 area: 9,250ft²
 current use: vacant (side yard)
 proposed use: single detached dwelling

Official Plan:

Current Designation: Residential Land Use

Permitted Uses: range of residential uses including a detached single family dwelling

Policies: This Plan supports compatible housing intensification and infill development, such as:

- accessory apartments or conversions of large residential structures to multiple use in appropriate areas;
- infilling on existing lots of record and maximizing use of underutilized lots;
- subdivision of oversized residential lots;

Zoning By-law 10245:

Current Zoning: R4 – Residential Fourth Density Zone

Permitted Uses: single detached dwelling

Minimum lot area:	3,999.8 ft ² (single family dwelling)
Minimum lot frontage:	39.4 feet (single family dwelling)
Minimum interior side yard:	5.9 feet (for 2-storey dwelling)

Comments:

1. the severed parcel, and retained parcel would both far exceed the lot frontage and lot area requirements of the R4 Zone; the proposed lots would be larger than the lot size found in the R1 Zone;
2. 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;
3. 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";
4. the City's Official Plan also promotes infill residential development;
5. 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";
6. thus in of itself there is no issue with the severance of the subject property;
7. the one issue however that needs to be considered relates to the character of development; would a new dwelling "fit in" along Alexander Street;
8. with regards to the character of development, the City's current Official Plan is weak on policies dealing with heritage and the built form;
9. Section 7.6.4. a) states "This Plan encourages the development of new buildings employing an architectural design that is attractive, functional, and in keeping with the character of the area in which the development is to occur";
10. however the Official Plan does not provide any guidance on how urban design is to be encouraged;
11. moreover, when the City tried to impose a condition on the severance of a property at 201 McDonald Avenue several years ago, the Ontario Municipal Board in its decision rejected the condition (File No.: PL101328);
12. the requested condition was as follows:

That the Owner execute and register on title of the subject lands an agreement pursuant to s. 51(26) and s. 53(12) of the Planning Act in form and content satisfactory to the City providing inter alia:

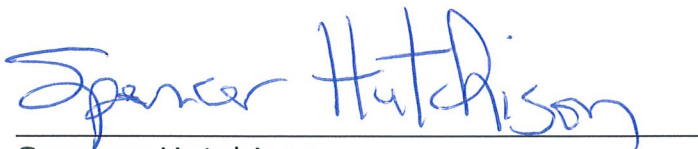
- (1) That the architectural design of any new dwelling erected on the severed parcel be attractive, functional, and in keeping with the style of dwellings and the character of the surrounding neighbourhood;
- (2) That any new dwelling on the severed parcel shall have a front yard setback equivalent to the dwellings on either side of this property.

13. the severed and retained parcels will each require their own separate water and sewer services;
14. a drainage plan for the severed and retained parcels will be required to ensure stormwater does not negatively impact abutting properties;
15. Municipal policy is to collect a cash-in-lieu of parkland contribution for all new building lots that are created;
16. in conclusion it is felt that the proposed consent meets the intent of the Official Plan and the Zoning By-law and is consistent with the Provincial Policy Statement.

Conclusion:

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by Robert Graham to sever the subject lands to create a new residential building lot with a minimum lot area of 9,250ft² and a minimum lot frontage of 50 feet on the north side of Alexander Street, 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 provide a drainage plan for the severed and retained lots to the satisfaction 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; separate Municipal services will be required for both the severed and retained parcels of land.



Spencer Hutchison
Manager of Approvals

MEMORANDUM

To: Spencer Hutchison
Manager, Approvals Section

From: Jeff Shortt,
Engineering Development Technologist

Date: May 1, 2014

Application No. B11/14

Regarding: Committee of Adjustment Application for Consent B11/14
22 Alexander Street, Belleville
OWNER: Robert Graham

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 Alexander 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. Both lots must have separate services.



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 May 15, 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 Maureen Murphy.

This application is submitted to create a new rural residential building lot on the east side of Mitchell Road, just north of Old Highway 2. The proposed new lot would have a minimum lot frontage of 150 feet and a lot area of 1 acre. A sketch of the proposed severance is found on the back of this notice.

If approved, a new single detached dwelling could be constructed on the severed lot. The subject lands are currently zoned PA – Prime Agriculture Zone.

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.

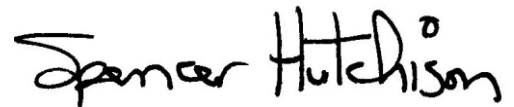
Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to this application or you may be represented by counsel for that purpose.

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 25th day of April, 2014



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

PART OF LOT 26, BROKEN FRONT CONCESSION AND PART OF LOTS 26 AND 27 CONCESSION 1 AND PART OF THE ROAD ALLOWANCE BETWEEN BROKEN FRONT CONCESSION AND CONCESSION 1 TOWNSHIP OF THURLOW COUNTY OF HASTINGS

REGISTERED PLAN No. 103
 PLAN OF SUBDIVISION FOR THE COUNTY OF HASTINGS
 DISTRICT OF THURLOW
 TOWNSHIP OF THURLOW
 COUNTY OF HASTINGS

PROPERTY OF THE LAND REGISTRY OFFICE

Mittel Road

LOTS 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50

CANADIAN PACIFIC RAILWAY

LOT 26 CONCESSION

LOT 27

1 Acre
 150'
 300'

LOT 26 BROKEN FRONT CONCESSION

LOT 27

HIGHWAY No. 2

PLAT COPY

CONVEYANCE BY THE ROAD ELECTRIC

THE ROAD ELECTRIC

PLAN 103-1030

LOT 13, BROKEN FRONT CONCESSION

LOT 14, BROKEN FRONT CONCESSION

LOT 15, BROKEN FRONT CONCESSION

CONSENT APPLICATION REVIEW
City of Belleville

Date: **May 8, 2014**

File No.: **B12/14**

Location: **Concession 1, Pt Lot 26**
Mitchell Road

Applicant: **Ray & Jean O'Neill**

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 east side of Mitchell Road.

Retained Parcel: frontage: approximately 313 feet
 area: approximately 11.6 acres
 current use: farm land/single detached dwelling
 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: PA – Prime Agriculture Zone

Permitted Uses: single family dwelling or farm in PA Zone

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

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

Comments:

1. policies in the Official Plan permit the severance of a building lot from the subject lands;
2. the proposed severance allow for the creation of a new building lot that would meet the residential lot area and lot frontage requirements of the PA Zone;
3. 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;
4. a safe and appropriate septic system needs to be provided for the severed parcel;
5. Municipal policy is to collect a cash-in-lieu of parkland contribution for all new building lots that are created;
6. City Staff have used information provided by the Applicant and ran the Minimum Distance Separation formula to ensure property setbacks from existing nearby barns; according to the calculations the proposed severed lot does meet the MDS setback requirements.

Conclusion:

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by Ray & Jean O'Neill 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 east side of Mitchell 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 necessary deeds to be submitted in triplicate and Conditions 1 to 4 inclusive be fulfilled prior to the issuance of the Consent Certificate;
6. Conditions 1 to 5 inclusive to be fulfilled within one (1) year of the Committee's Decision;
7. Any new development of the severed parcels 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 1, 2014

Application No. B12/14

Regarding: Committee of Adjustment Application for Consent B12/14
74 Mitchell Road, Belleville
OWNER: Ray & Jean O'Neill
AGENT: Maureen Murphy

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 Mitchell 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.
2. 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

QUINTE CONSERVATION PLANNING ACT REVIEW

File: Consent B12/14
Lot/Con: Part Lot 26, Concession 1
Geographic Township: Thurlow
Municipality: Belleville
Owner/Agent: Ray & Jean O'Neil/Maureen Murphy
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 one new rural parcel fronting onto Mitchell 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)

A portion of the retained lands lie within the regulated area of a watercourse draining 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. **Ray & Jean O'Neil**
Maureen Murphy



Sam Carney
Technical Administrative Assistant

May 2, 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 May 15, 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 GCL Developments Ltd.

This application is submitted to create two reciprocal 3.0 metre wide rights of way across the abutting properties located at 172 and 178 Tank Farm Road. A sketch of the proposed rights of way is found on the back of this notice.

Currently the subject lands are vacant but the Applicant has applied for site plan approval to construct a commercial building at 172 Tank Farm Road and a second commercial building at 178 Tank Farm Road. These two buildings are going to share a mutual driveway and therefore legally need to grant each other a right of way over their part of the driveway in favour of the abutting property.

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.

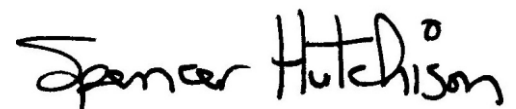
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The lands subject to this application for consent are **not** subject to any other type of planning application.

Dated this 28th day of April, 2014

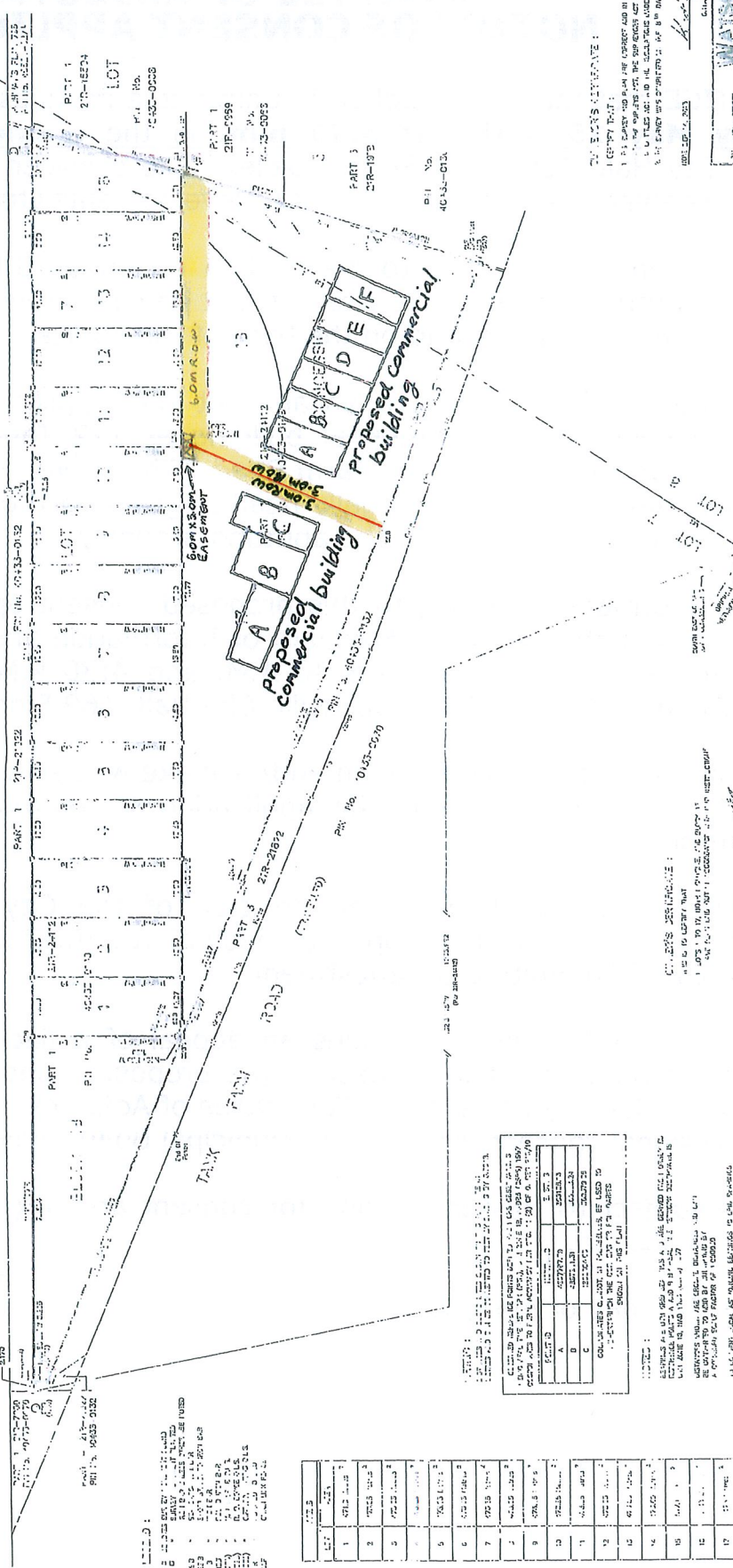


Spencer Hutchison
Secretary-Treasurer
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169 Front Street
BELLEVILLE, ON
K8N 2Y8
Tel: (613) 967-3234
Email: shutchison@city.belleville.on.ca

PLAN OF SUBMISSION

MEETING DATE: 11/26/90
 MEETING PLACE: O.L.C.
 PREPARED BY: [Name]
 CHECKED BY: [Name]
 DRAWN BY: [Name]

CONVENT ROAD (CORNER AND THRU INTERSECTING WITH) (ADJACENTS BU 11005)



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REMARKS:

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7	07/30/91	...
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CONVENTS DEVELOPMENT
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CONSENT APPLICATION REVIEW

City of Belleville

Date: **May 8, 2014**

File No.: **B13/14**

Location: **172 & 178 Tank Farm Road**

Applicant: **GCL Developments Ltd.**

Proposal: To create two reciprocal rights-of-way over the abutting properties at 172 & 178 Tank Farm Road to allow for a shared driveway for both properties from Tank Farm Road.

Rights of Way: 3.0 metres wide on 172 Tank Farm Road
3.0 metres wide on 178 Tank Farm Road

Official Plan:

Current Designation: Commercial Land Use

Permitted Uses: a variety of commercial land uses

Zoning By-law 3014:

Current Zoning: C3-7 – General Commercial Exception No. 7 Zone

Permitted Use: commercial building with multiple units and tenants

Comments:

1. the subject lands are currently vacant but the City has received a site plan application to construct a commercial building on the property at 172 Tank Farm Road and a second commercial building on the property at 178 Tank Farm Road;
2. the proposed site plan indicates that the two abutting properties would share a 6.0 metre wide driveway with 3 metres of the shared driveway on each of the properties;
3. to legally guarantee this shared driveway the two abutting property owners need to grant each other a right of way over their property in favour of the abutting property; this way neither party can obstruct or restrict the use of the driveway;
4. in essence this application is a legal issue and about land ownership; the use of the land in question will not change and the use of this strip of land will still be shared by the 2 abutting properties;

Conclusion:

1. Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by GCL Developments Ltd. to create two reciprocal rights-of-way over the abutting properties at 172 & 178 Tank Farm Road to allow for a shared driveway for both properties from Tank Farm 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 necessary deeds to be submitted in triplicate and Condition 1 be fulfilled prior to the issuance of the Consent Certificate;
 3. Conditions 1 and 2 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 1, 2014

Application No. B13/14

Regarding: Committee of Adjustment Application for Consent B13/14
172-178 Tank Farm Road, Belleville
OWNER: Andy Geertsma

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

We have no objection to this consent; it is noted that we feel that the 6.0m easement along the northern boundary of Lot 16 is not needed.



Jeff Shortt C.E.T