

**AGENDA  
BELLEVILLE COMMITTEE OF ADJUSTMENT  
JULY 18, 2019  
3:30 P.M.  
COUNCIL CHAMBER  
CITY HALL**

.....

**1. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

**2. WELCOME FROM CHAIRMAN & OPENING REMARKS**

**3. APPLICATIONS AND DECISIONS**

- a) Application A 12/19                      Application for Minor Variance  
   227 Front Street  
   Owner:    Geeta Vadhera, Rolufs Travel  
   Agent:    Arnie Vadhera (Andy)

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

Correspondence from the Manager of Approvals, Development Technologist and Chief Building Official is enclosed. No other responses were received.

- b) Application A 14/19                      Application for Minor Variance  
   14 Lanark Drive  
   Owner: Jason Mehrkens

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

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

- c) Application A 15/19                      Application for Minor Variance  
   6 Redwood Drive, Belleville  
   Owner: Heritage Park Joint Venture, Jamie O'Shea

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

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

- d) Application B 13/19 & B14/19      Application for Severance  
41 Casey Road  
Owner: Dave Putman & Beth Putman  
Agent: Keith Watson, Watson Land Surveyors

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

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

- e) Application B 15/19      Application for Severance  
470 Dundas Street East, Belleville  
Owner: Angela Henry, Bayview Mall  
Agent: Abby Pakyanathan, Dillon Consulting Ltd.

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

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

#### **4. GENERAL BUSINESS**

Confirmation of the Minutes of the regular meeting of the Belleville Committee of Adjustment held on June 20, 2019.

#### **5. CORRESPONDENCE**

#### **6. OTHER BUSINESS**

#### **7. NEXT MEETING:** Thursday August 15, 2019 at 3:30pm

#### **8. ADJOURNMENT**



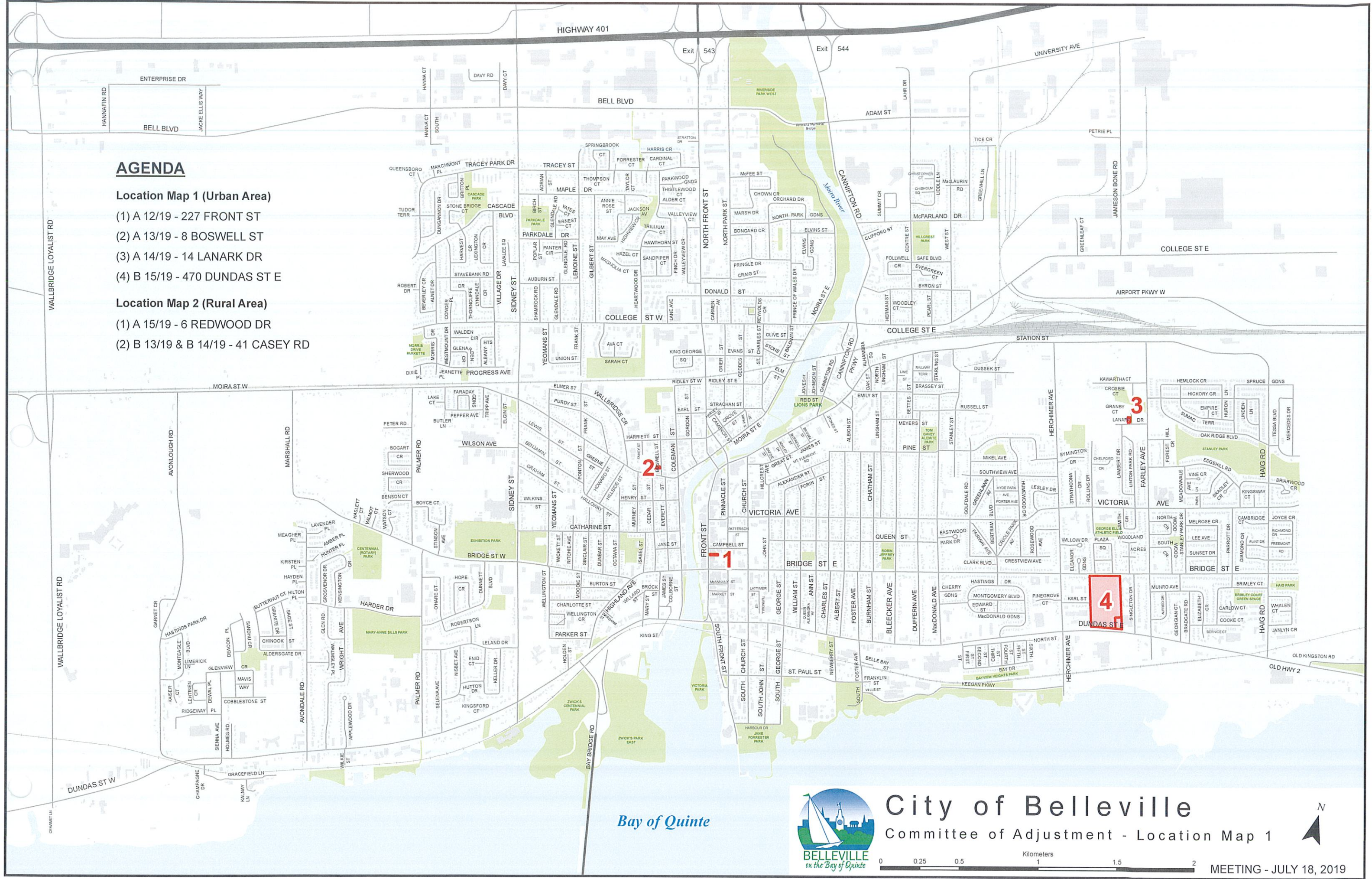
## AGENDA

### Location Map 1 (Urban Area)

- (1) A 12/19 - 227 FRONT ST
- (2) A 13/19 - 8 BOSWELL ST
- (3) A 14/19 - 14 LANARK DR
- (4) B 15/19 - 470 DUNDAS ST E

### Location Map 2 (Rural Area)

- (1) A 15/19 - 6 REDWOOD DR
- (2) B 13/19 & B 14/19 - 41 CASEY RD



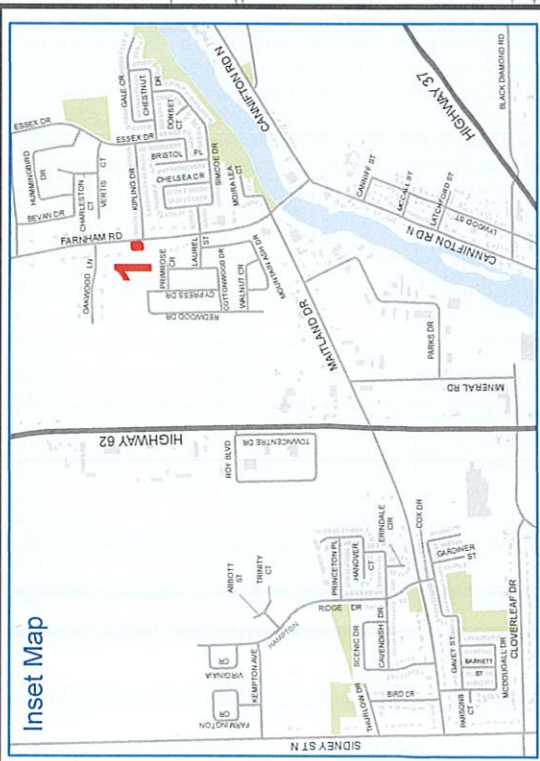
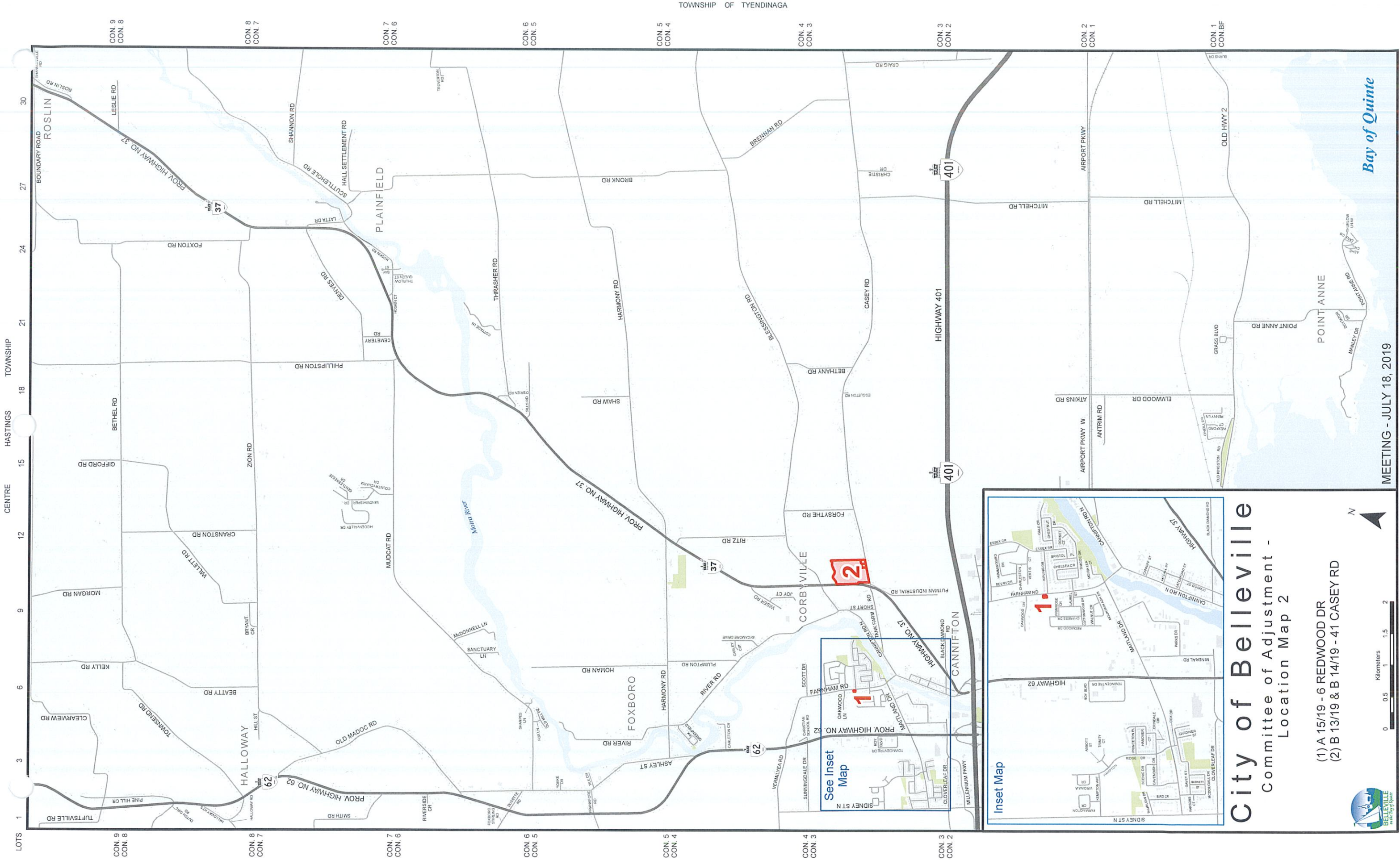
City of Belleville

Committee of Adjustment - Location Map 1



MEETING - JULY 18, 2019





# City of Belleville

Committee of Adjustment -  
Location Map 2

- (1) A 15/19 - 6 REDWOOD DR
- (2) B 13/19 & B 14/19 - 41 CASEY RD



0 0.5 1 1.5 2  
Kilometers



MEETING - JULY 18, 2019

Bay of Quinte



## 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 18, 2019 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 Andy Vadhera on behalf of Geeta Vadhera, Rolufs Travels.

The subject property is known as 227 Front Street, and is zoned C2-3 - General Commercial. The owner wishes to construct additional dwelling units within the building, and seeks relief from the provisions of the zoning by-law under the cash-in-lieu of parking policy, in order to make a one-time payment to the City's parking reserve fund instead of providing on-site parking for the proposed units. The owner wishes to construct two units, and also seeks approval to use cash-in-lieu of parking should they receive future approval for a third dwelling unit. This would amount to a reduction of three parking spaces to begin with, and potentially a fourth in future.

A location map showing 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, 2<sup>nd</sup> 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 Local Planning Appeal Tribunal may dismiss the appeal.

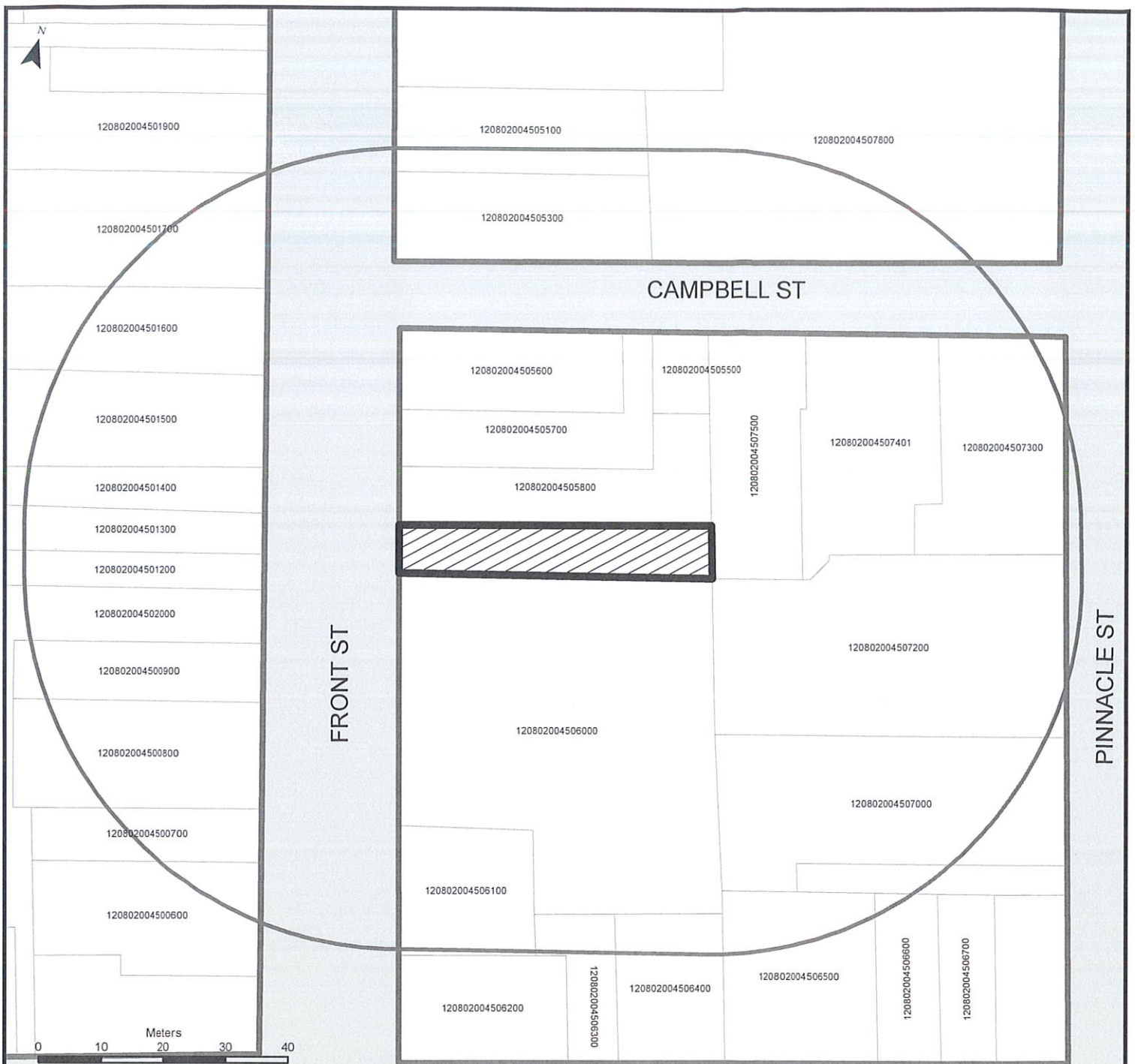
The lands subject to this application for a minor variance are **not** subject to any other type of planning application.

Dated this 27<sup>th</sup> day of June, 2019.



Greg Pinchin  
Manager of Approvals  
City of Belleville  
Committee of Adjustment  
169 Front Street  
BELLEVILLE, ON  
K8N 2Y8  
Tel: (613) 967-3319  
Email: [gpinchin@city.belleville.on.ca](mailto:gpinchin@city.belleville.on.ca)





**APPLICATION NO:**

**A 12/19**

**LOCATION:** 227 FRONT ST  
120802004505900



Subject Property



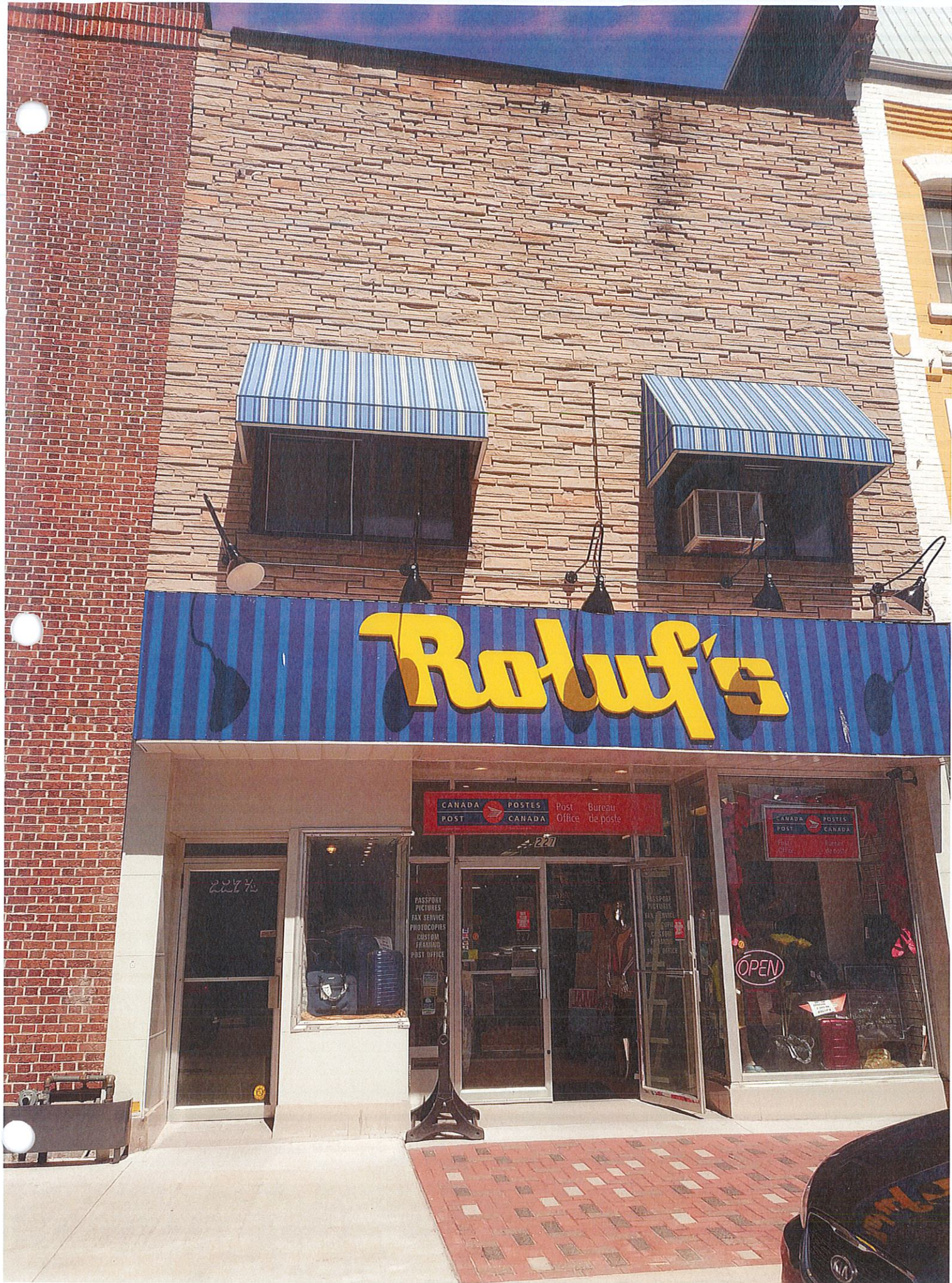
Notification Area



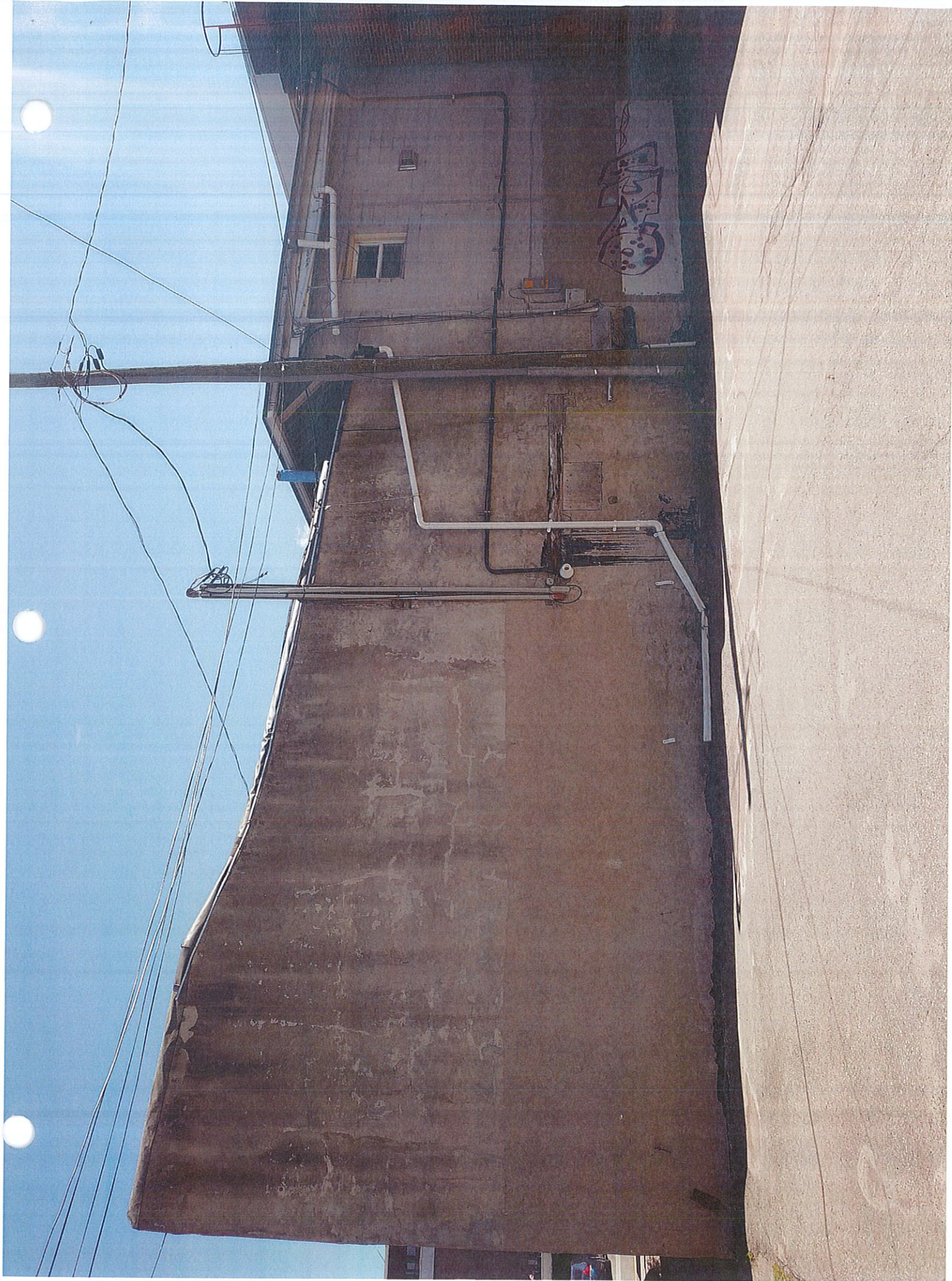
**CITY OF BELLEVILLE**

ENGINEERING & DEVELOPMENT  
SERVICES DEPARTMENT











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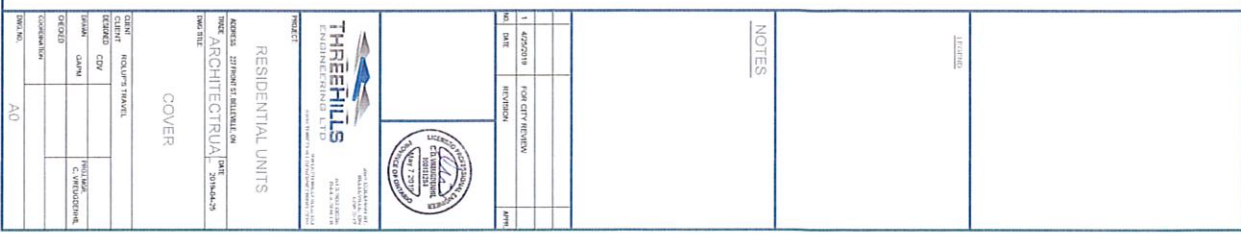




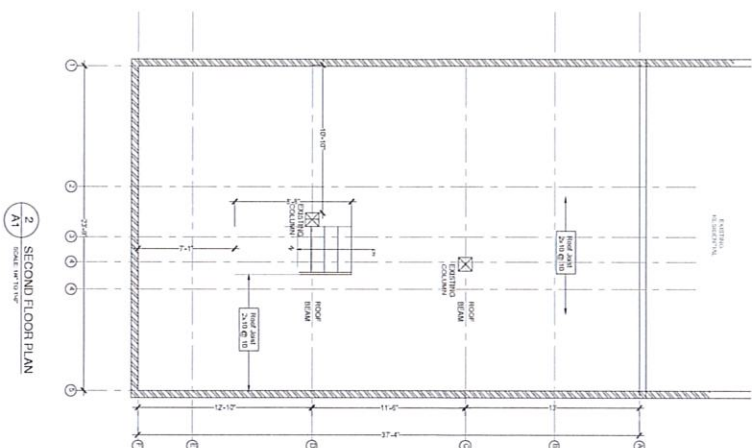
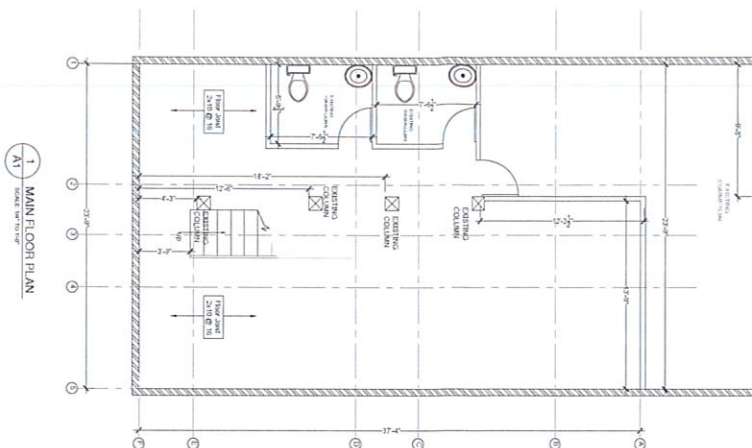
# 227 Front











# NOTES

NO.	DATE	REVISION	BY
1	10/10/11	FOR CITY REVIEW	MM



**THREHILLS**  
ENGINEERING LTD.  
1000000000000000  
10/10/11

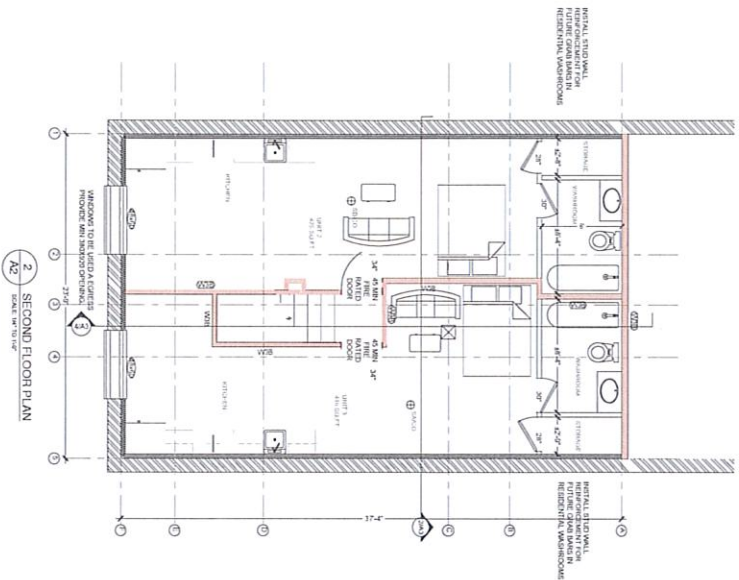
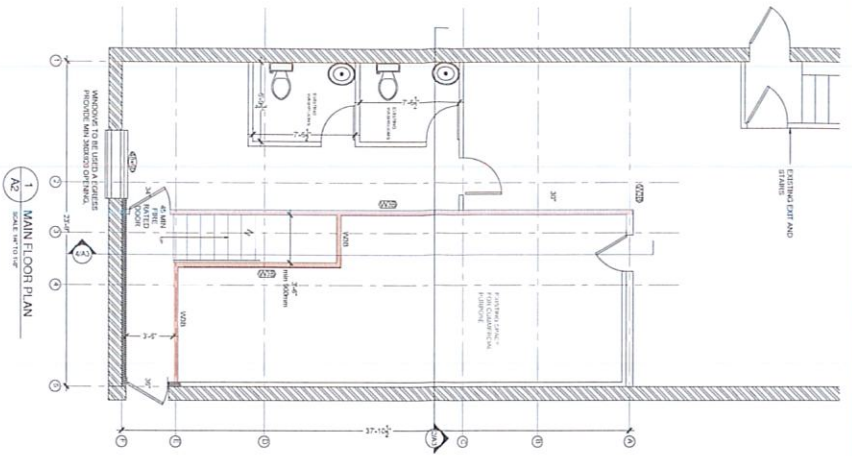
PROJECT: RESIDENTIAL UNITS

AGENCY: JENNIFER & ASSOCIATES, INC.  
DATE: 10/10/11  
DRAWN BY: ARCHITECTURAL

EXISTING

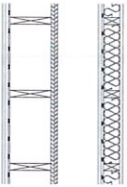
DATE	REVISION	BY
10/10/11	1	MM





**W3B**  
3/4" x 3/4" x 1/2" WOOD  
RESISTENT CHANNEL ON ONE  
SIDE, SPACED AT 40" ON CENTER,  
TO BE USED AS A SINGLE UNIT.

**F11BB**  
1/2" x 1/2" x 1/2" WOOD  
RESISTENT CHANNEL ON ONE  
SIDE, SPACED AT 40" ON CENTER,  
TO BE USED AS A SINGLE UNIT.



# NOTES

NO.	DATE	REVISION	BY
1	DISPOSING	FOR CITY REVIEW	
2	DATE	REVISION	



**THREEHILLS**  
ENGINEERING LTD  
2014-2017

## RESIDENTIAL UNITS

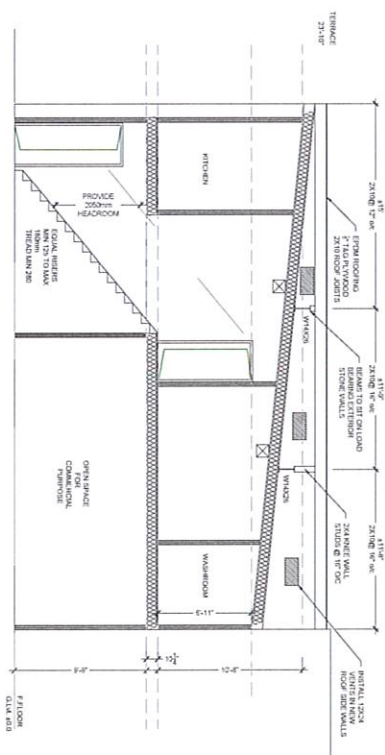
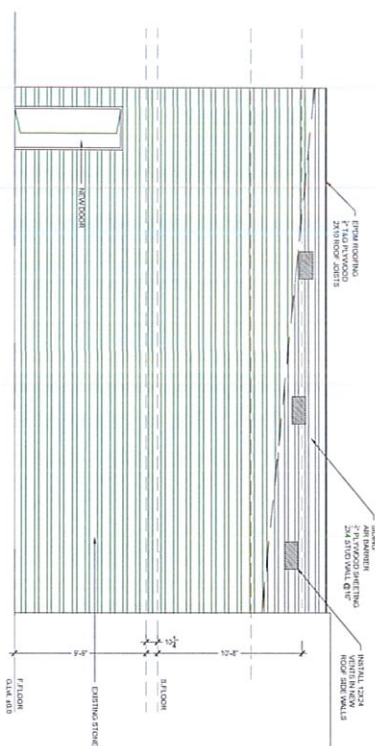
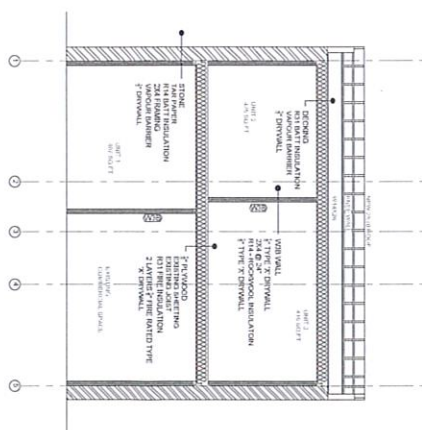
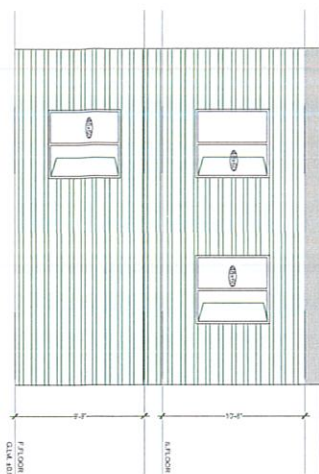
AGENTS: JEFFREY S. BELLER, ON  
THREEHILLS ARCHITECTURAL 2014-2017  
DATE: 2014-2017

## PLANS AND DETAILS

UNIT	NO.	DATE	REVISION	BY
1	DISPOSING	FOR CITY REVIEW		
2	DATE	REVISION		

A2.2





1	4/29/2019	FOR CITY REVIEW	
NO	DATE	REVISION	ATT



  
**THREEHILLS**  
ENGINEERING LTD

John C. Baker  
01235 761111  
01235 761112  
01235 761113  
01235 761114

RESIDENTIAL UNITS

ADDRESS	227 FRONT ST. BELLEVILLE, OH
TRADE	DATE
ARCHITECTURAL	2015-04-29
CWG BRL	

PLANS AND DETAILS:

CLIENT	HOLUP'S TRAVEL	
CLIENT		
DETAILED	CDV	
DATE	DATE	PROJ. NO. C. VENDOR
ORDER		
COORDINATION		
DWG. NO.	A3	



**MINOR VARIANCE APPLICATION REVIEW**  
**City of Belleville**

**Date:**        July 6, 2019

**File No.:**     A 12/19

**Location:**    227 Front Street

**Applicant:**    Andy Vadhera on behalf of Geeta Vadhera

**Proposal:**    1.     To reduce the minimum number of on-site parking spaces required for two new dwelling units on the second floor from 3 to nil, and make use of the downtown cash-in-lieu of parking policy.  
                     2.     To permit a further reduction of one space and cash-in-lieu payment if future approval is obtained to construct an additional dwelling unit.

**Official Plan:**

Current Designation:     City Centre Land Use

Permitted Uses:           a range of commercial land uses and residential uses

**Zoning By-law 10245:**

Current Zoning:         C2-3 – General Commercial Zone

Permitted Uses:        1.    office  
                              2.    retail establishment  
                              3.    dwelling units in upper floors

Proposed Use:         to create two (2) additional dwelling units on the second floor

Minimum parking requirement: 1.25 spaces per dwelling unit

**Comments:**

1.    the building covers all of the subject property so there is no ability to provide on-site parking;
2.    in the downtown core there are a range of municipal parking lots to provide parking;
3.    the City wishes to promote and encourage people to live and work downtown; the City supports the creation of dwelling units in the downtown core;
4.    at the same time the City has a program of purchasing additional land for new and enlarged municipal parking lots;
5.    the City has valued a parking space at \$1,000 per space;
6.    it has been the policy of the City and the Committee of Adjustment on previous requests for relief from providing on-site parking to permit these requests subject to the applicant paying the City's Parking Reserve Fund for the number of deficient parking spaces; this way the City accumulates the funds to assist in the purchase and/or creation of new parking lots and thereby ensuring

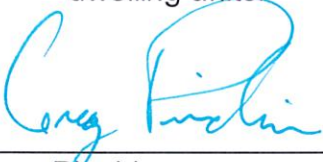


- sufficient parking in the downtown core;
7. in 2008, the owner received approval to pay cash-in-lieu for parking when creating two dwelling units on the second floor of the building through application A 7/08, the current proposal involves converting additional space on the second floor into dwelling units so additional relief is needed;
  8. the Chief Building Official advises that since the existing building covers the entire lot, the rear exit for the proposed new dwelling units opens onto neighbouring property north of the subject lands;
  9. as such, Building is not in a position to support the proposed variance without some assurance that the proposed new exit will always be available to the new units with some legal agreement like an access easement over the neighbouring property;
  10. staff advises that the potential for a third dwelling unit on the main floor at the rear of the building is subject to the outcome of the Official Plan update and review of main floor commercial policies.

**Conclusion:**

Based on the foregoing, the Engineering & Development Services Department has no objection to the application by Andy Vadhera on behalf of Geeta Vadhera to reduce the minimum number of on-site parking spaces provided for additional dwelling units from 3 to nil, with a potential fourth space subject to future approvals, for the property located at 227 Front Street subject to:

1. the Owner making a payment of \$1,000 per parking space not provided to the City's Parking Reserve Fund; and
2. the Owner obtaining approval for the necessary Consent and the creation of a right-of-way over neighbouring property to ensure the proposed new exit will always be available for the proposed dwelling units.



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Greg Pinchin  
Manager of Approvals



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## MEMORANDUM

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To: Greg Pinchin  
Manager, Approvals Section

From: Jason Pettit  
Development Technologist

Date: July 3, 2019

Application No. A12/19

Regarding: Committee of Adjustment Variance Application A12/19  
227 Front Street, Belleville  
OWNER: Geeta & Andy Vadhera

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

We have no objection to this application.



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Jason Pettit



## Keays, Christina

---

**From:** Marecak, Ted  
**Sent:** Monday, June 24, 2019 9:19 AM  
**To:** Pinchin, Greg  
**Cc:** Keays, Christina  
**Subject:** Minor Variance Application A12/19 227 Front Street

Greg:

In reviewing the minor variance application for this proposed renovation to create two additional residential dwelling units at this property it appears that the existing building occupies 100% of the existing lot. This being the case the exit for the two new dwelling units opens directly onto the neighbouring property to the north of the subject lands. Without some assurance that the proposed new exit will always be available for these two new dwelling units (easement over neighbouring property or some other legal instrument to allow this proposed condition) I would not be in a position to support this variance.

Ted Marecak, CET, CBCO  
Chief Building Official  
Manager, Building Section  
Engineering & Development  
Services Department  
City of Belleville  
613-967-3200 x 3406



**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 18, 2019 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 Jason Mehrkens.

The subject property is known as 14 Lanark Drive, and is zoned R2-26 – Residential Second Density. The applicant wishes to construct a roof canopy cover over the existing rear deck, and seeks relief from the provisions of the zoning by-law to allow the roof canopy to extend 0.66 m beyond what is permitted under current zoning, and to be supported by posts.

A location map showing 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, 2<sup>nd</sup> Floor, Belleville City Hall, 169 Front Street, Belleville.

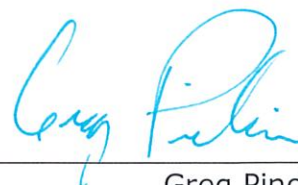
Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to this application or you may be represented by counsel for that purpose.

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 Local Planning Appeal Tribunal may dismiss the appeal.

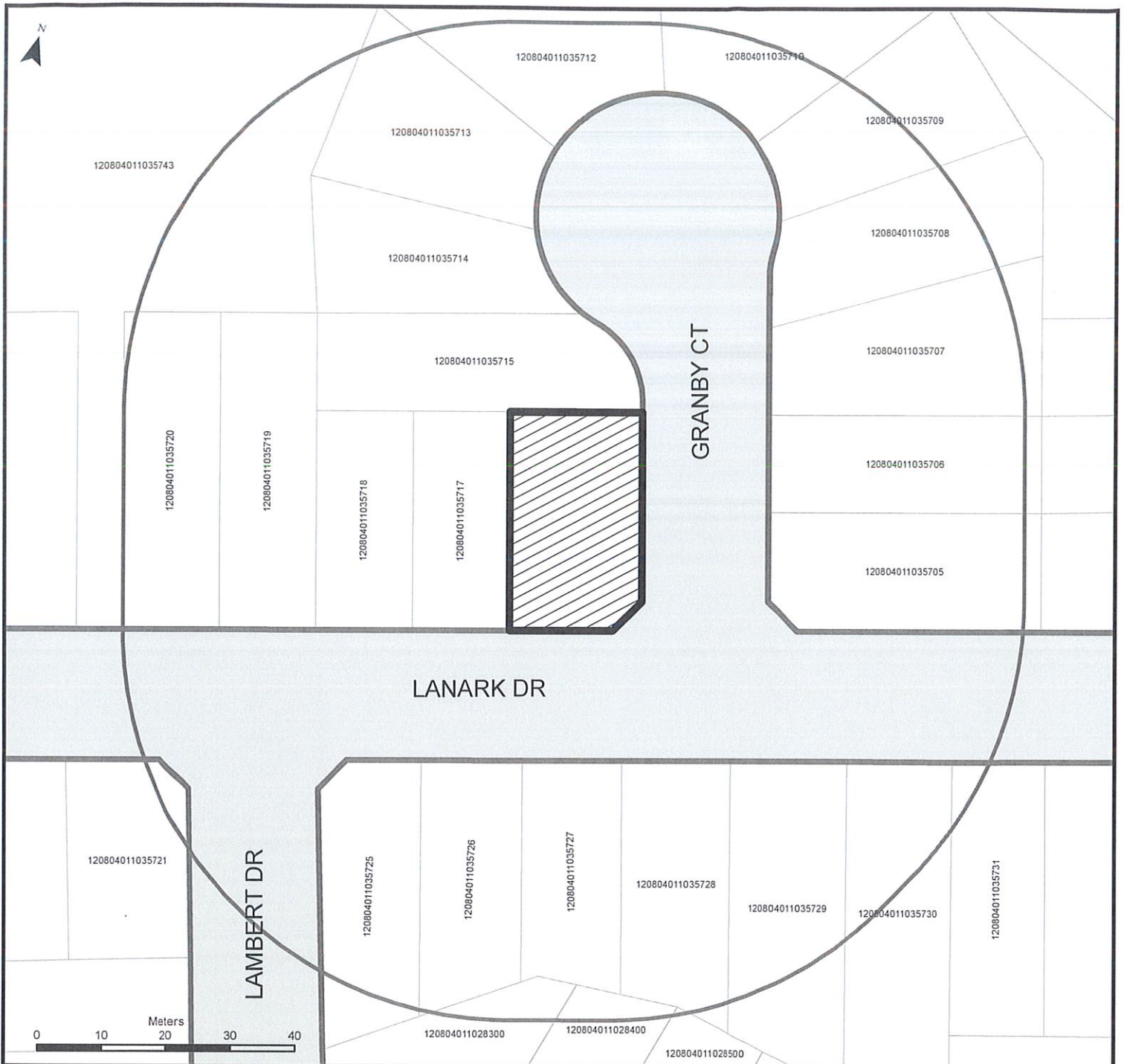
The lands subject to this application for a minor variance are **not** subject to any other type of planning application.

Dated this 27<sup>th</sup> day of June, 2019.



Greg Pinchin  
Manager of Approvals  
City of Belleville  
Committee of Adjustment  
169 Front Street  
BELLEVILLE, ON  
K8N 2Y8  
Tel: (613) 967-3319  
Email: [gpinchin@city.belleville.on.ca](mailto:gpinchin@city.belleville.on.ca)





**APPLICATION NO:**

**A 14/19**

**LOCATION:** 14 LANARK DR  
120804011035716



Subject Property



Notification Area



**CITY OF BELLEVILLE**

ENGINEERING & DEVELOPMENT  
SERVICES DEPARTMENT





GRANBY COURT

S 16°41'30" E 23.204

S 28°12'30" W 6.364

S 73°12'30" W 16.000

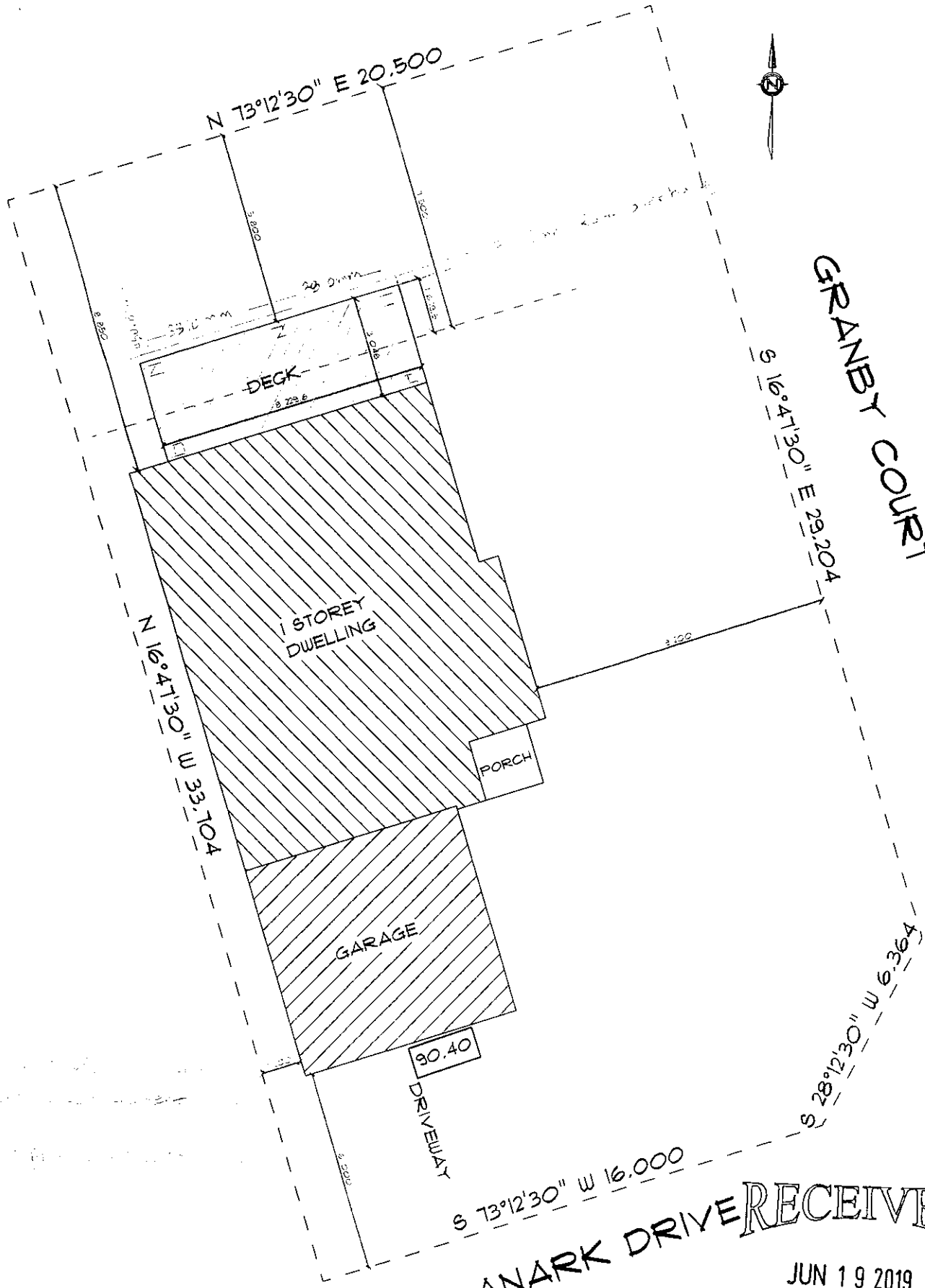
LANARK DRIVE

JUN 19 2019

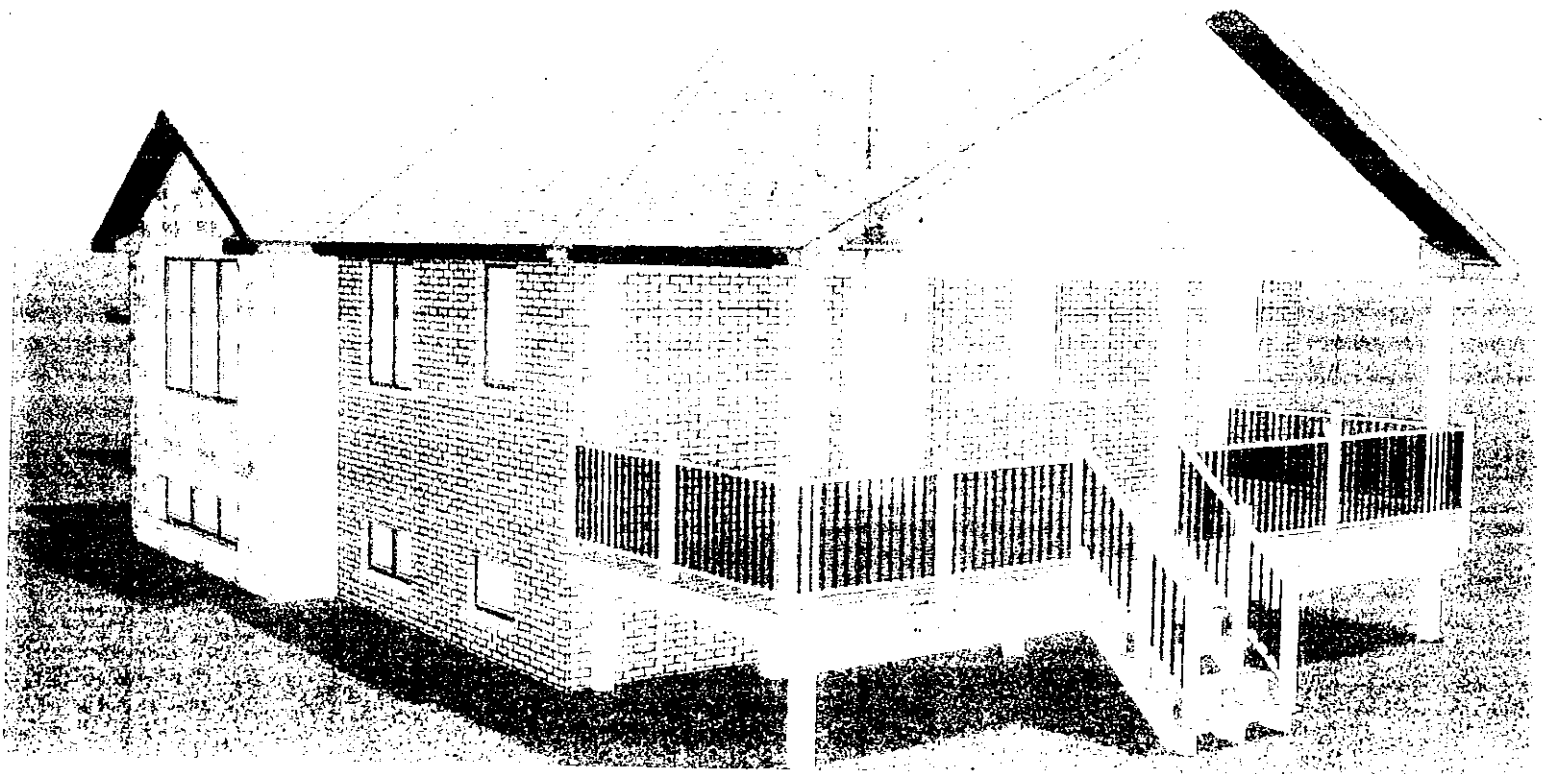
BELLEVILLE COMMITTEE  
OF ADJUSTMENT

LOT LAYOUT SKETCH FOR  
LOT # 15, PLAN 21M 248.14 LANARK DRIVE  
BELLEVILLE

SCALE 1:500







**MINOR VARIANCE APPLICATION REVIEW**  
**City of Belleville**

**Date:**        July 8, 2019

**File No.:**     A 14/19

**Location:**    14 Lanark Drive

**Applicant:**    Jason Mehrkens

**Proposal:**    To permit the construction of a roof cover/canopy over the existing deck at 14 Lanark Drive that would project 1.872 m into the required rear yard instead of the permitted 1.2 m, and that would be supported by posts.

**Official Plan:**

Current Designation:     Residential Land Use

Permitted Uses:         a range of residential land uses

**Zoning By-law 10245:**

Current Zoning:        R2-26 – Residential Second Density Zone

Permitted Use:         single detached dwelling

Proposed Use:         same

Minimum rear yard setback to the main building:                      7.5 m

Maximum projection for a canopy into a required yard:                      1.2 m

**Comments:**

1.    The existing dwelling and rear yard deck was constructed as part of the Bell Creek Phase 2 subdivision, and is situated at the northwest corner of Lanark Drive and Granby Court;
2.    the applicant wishes to construct a roof cover canopy over the existing deck;
3.    the zoning by-law permits a canopy to encroach up to 1.2 m into a required yard, while a deck may encroach up to 3.0 m into a required rear yard;
4.    the proposed canopy would encroach 1.872 m into the required yard, an increase of 0.672 m (2 feet 2-1/2 inches);
5.    the zoning by-law further specifies that no support posts are permitted under a canopy, but the owner requests that the roof be supported by posts;
6.    The proposed variances 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 Jason Mehrkens to permit the construction of a roof



canopy supported by posts over the existing unenclosed deck, subject to a maximum encroachment of 1.9 m into a required rear yard instead of the maximum 1.2 m.



---

Greg Pinchin  
Manager of Approvals

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## MEMORANDUM

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To: Greg Pinchin  
Manager, Approvals Section

From: Jason Pettit  
Development Technologist

Date: July 3, 2019

Application No. A14/19

Regarding: Committee of Adjustment Variance Application A14/19  
14 Lanark Drive, Belleville  
OWNER: Jason Mehrkens

---

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

We have no objection to this application.



---

Jason Pettit



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

TAKE NOTICE that the City of Belleville Committee of Adjustment will hold a meeting on **Thursday July 18, 2019 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 Jamie O'Shea, Dor-Ann Homes on behalf of Heritage Park, Joint Venture.

The subject property is known as 6 Redwood Drive, and is zoned R1-17 – Low Density Residential Type 1. The property is located at the northwest of Redwood Drive and Farnham Road, and as such there is a municipal daylight triangle taken off that makes the exterior side yard setback requirement cut in at the corner. The applicant seeks relief from the provisions of the zoning by-law to reduce the minimum exterior side yard setback from 4.0 m to 2.96 m at the front corner of the proposed dwelling, and to reduce the minimum rear yard setback from 7.6 m to 6.35 m.

A location map showing 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, 2<sup>nd</sup> 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 27<sup>th</sup> day of June, 2019.

  
\_\_\_\_\_  
Greg Pinchin  
Manager of Approvals  
City of Belleville  
Committee of Adjustment  
169 Front Street  
BELLEVILLE, ON  
K8N 2Y8  
Tel: (613) 967-3319  
Email: [gpinchin@city.belleville.on.ca](mailto:gpinchin@city.belleville.on.ca)



**APPLICATION NO:**

**A 15/19**

**LOCATION:** 6 REDWOOD DR  
120810002515800



Subject Property



Notification Area



**CITY OF BELLEVILLE**

ENGINEERING & DEVELOPMENT  
SERVICES DEPARTMENT



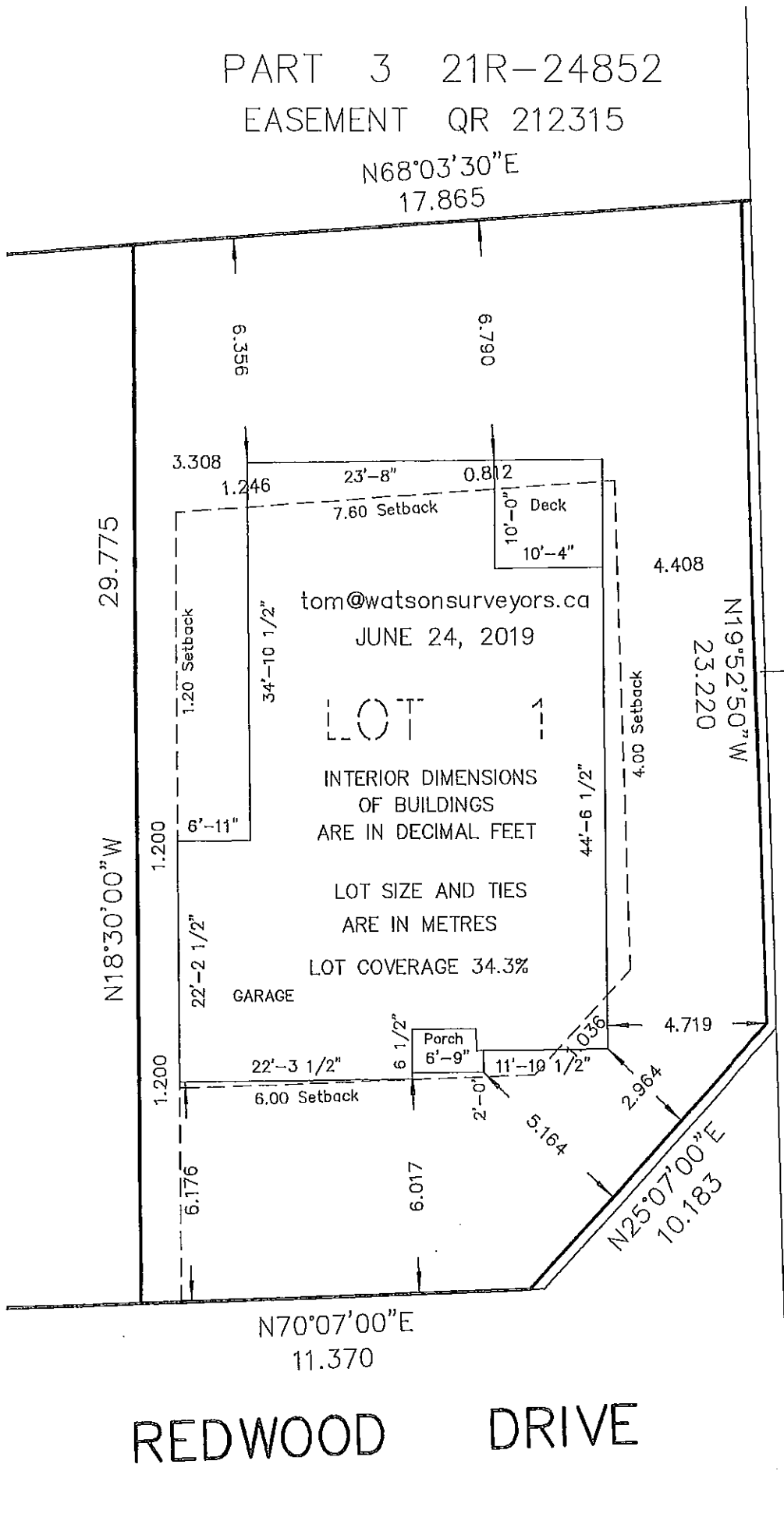
N68°03'30"E  
17.865

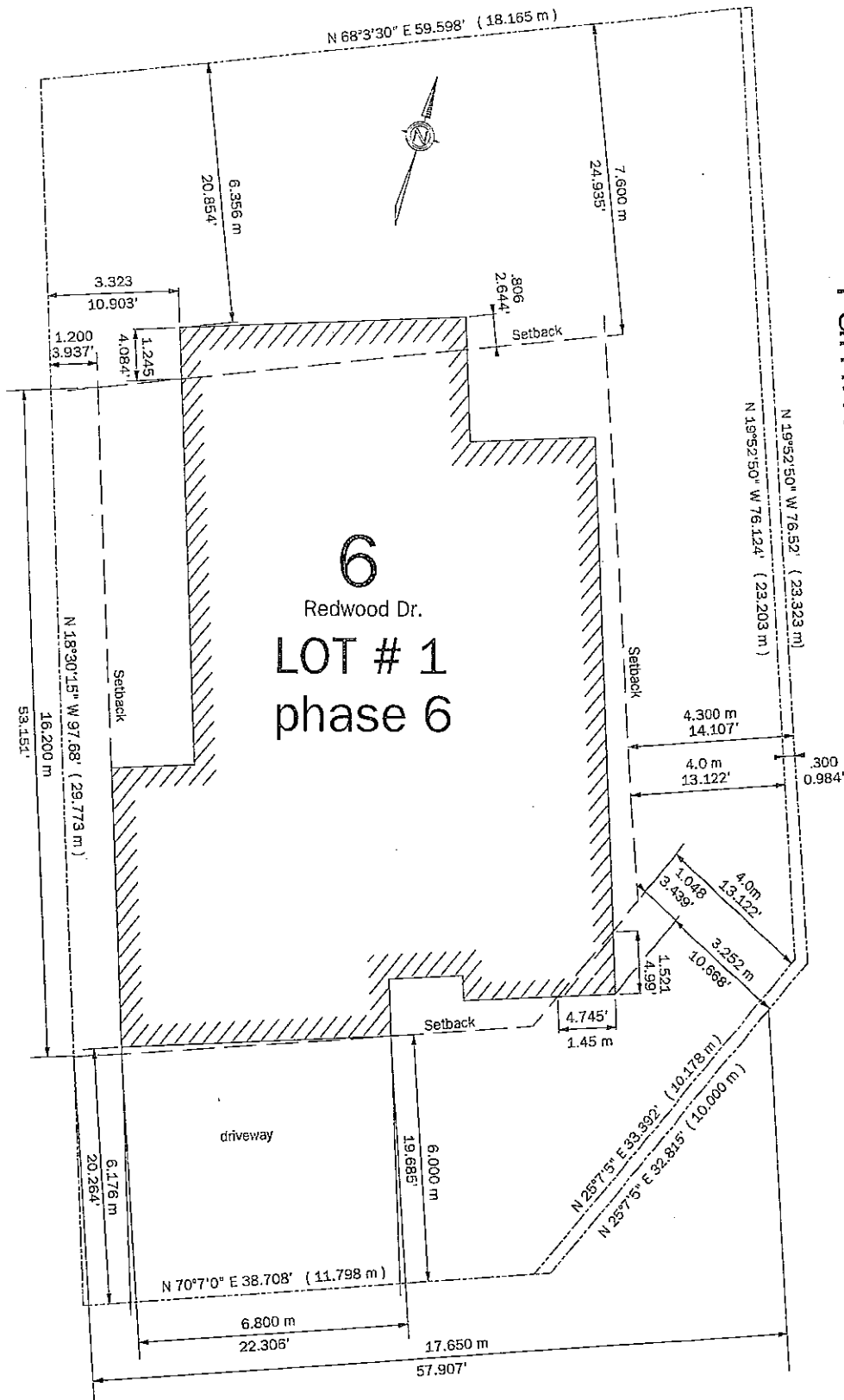
ROAD

RECEIVED

JUN 25 2019

BELLEVILLE COMMITTEE  
OF ADJUSTMENT





Redwood Drive

Lot Plan Layout

Scale: 1" = 10'-0"

Farnham Road

BELLEVILLE COMMITTEE  
OF ADJUSTMENT

JUN 25 2019

RECEIVED



**MINOR VARIANCE REVIEW**  
**City of Belleville**

**Date:** July 8, 2019

**File No.:** A 15/19

**Location:** 6 Redwood Drive

**Applicant:** Jamie O'Shea, Dor-Ann Homes Ltd.

**Proposal:** To construct a new single detached dwelling at 6 Redwood Drive that would have a minimum rear yard setback of 6.35 metres instead of the required 7.6 metres, and an exterior side yard setback of 2.96 m from the corner daylight triangle instead of the required 4.0 m.

**Official Plan:**

Current Designation: Residential Land Use

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

**Zoning By-law 10245:**

Current Zoning: R1-17 – Low Density Residential Type 1

Permitted Uses: single detached dwelling  
Proposed Use: same

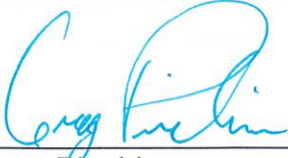
Rear Yard (minimum): 7.6 metres  
Exterior Side Yard (minimum): 4.0 metres

**Comments:**

1. the subject property is located on a corner lot in a phase of Heritage Park subdivision;
2. the daylight triangle at the front corner of the lot would cause the front corner of the proposed dwelling to project into the required yard setback despite otherwise complying with required setbacks on the front and sides;
3. the lot backs on the pipeline right of way, meaning that space directly behind will remain undeveloped and create separation from the residential uses behind;
4. dwellings in this phase of the subdivision have not yet been constructed, any buyer would have the option of choosing another lot if they would prefer larger setbacks;
5. being a corner lot, the property has additional outdoor amenity space along the side flanking Farnham Road;
6. the proposed variance would allow for the appropriate development of the subject land and is considered minor in nature.

**Conclusion:**

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by Jamie O'Shea, Dor-Ann Homes Ltd. to construct a new single detached dwelling at 6 Redwood Drive with a minimum rear yard setback of 6.35 m instead of the required 7.6 m, and an exterior side yard setback to the front corner daylight triangle of 2.96 m instead of 4.0 m.



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Greg Pinchin  
Special Projects Planner



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## MEMORANDUM

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To: Greg Pinchin  
Manager, Approvals Section

From: Jason Pettit  
Development Technologist

Date: July 3, 2019

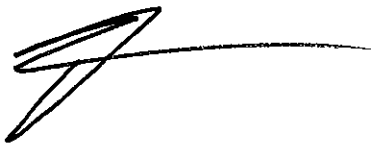
Application No. A15/19

Regarding: Committee of Adjustment Variance Application A15/19  
6 Redwood Drive, Belleville  
OWNER: Heritage Park Joint Venture, Jamie O'Shea

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

We have no objection to this application.



---

Jason Pettit

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

TAKE NOTICE that the City of Belleville Committee of Adjustment will hold a meeting on **Thursday July 18, 2019 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 Keith Watson, Watson Land Surveyors on behalf of Dave & Beth Putman.

The subject property is known as 41 Casey Road, and forms part of Lot 10, Concession 3. This land is zoned PA, and is subject to the Rural policies of the City's Official Plan. The Applicant wishes to sever 2 rural residential building lots from the southeast corner of the subject lands. Each of these new lots would have a frontage of  $\pm 61$  m along Casey Road and an area of  $\pm 0.42$  ha. Approval of these 2 applications would leave the retained parcel with a frontage of  $\pm 234$  m an area of  $\pm 17.8$  ha.

A sketch of the proposed severances is found on the back of this notice.

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 Approvals Section, 2<sup>nd</sup> 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 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 27<sup>th</sup> day of July, 2019.



Greg Pinchin  
Manager of Approvals  
City of Belleville  
Committee of Adjustment  
169 Front Street  
BELLEVILLE, ON  
K8N 2Y8

Tel: (613) 967-3319

Email: [gpinchin@city.belleville.on.ca](mailto:gpinchin@city.belleville.on.ca)





**APPLICATION NO:**

**B 13/19 & B 14/19**

**LOCATION:** 41 CASEY RD  
120810003500400



Subject Property



Notification Area



**CITY OF BELLEVILLE**  
ENGINEERING & DEVELOPMENT  
SERVICES DEPARTMENT

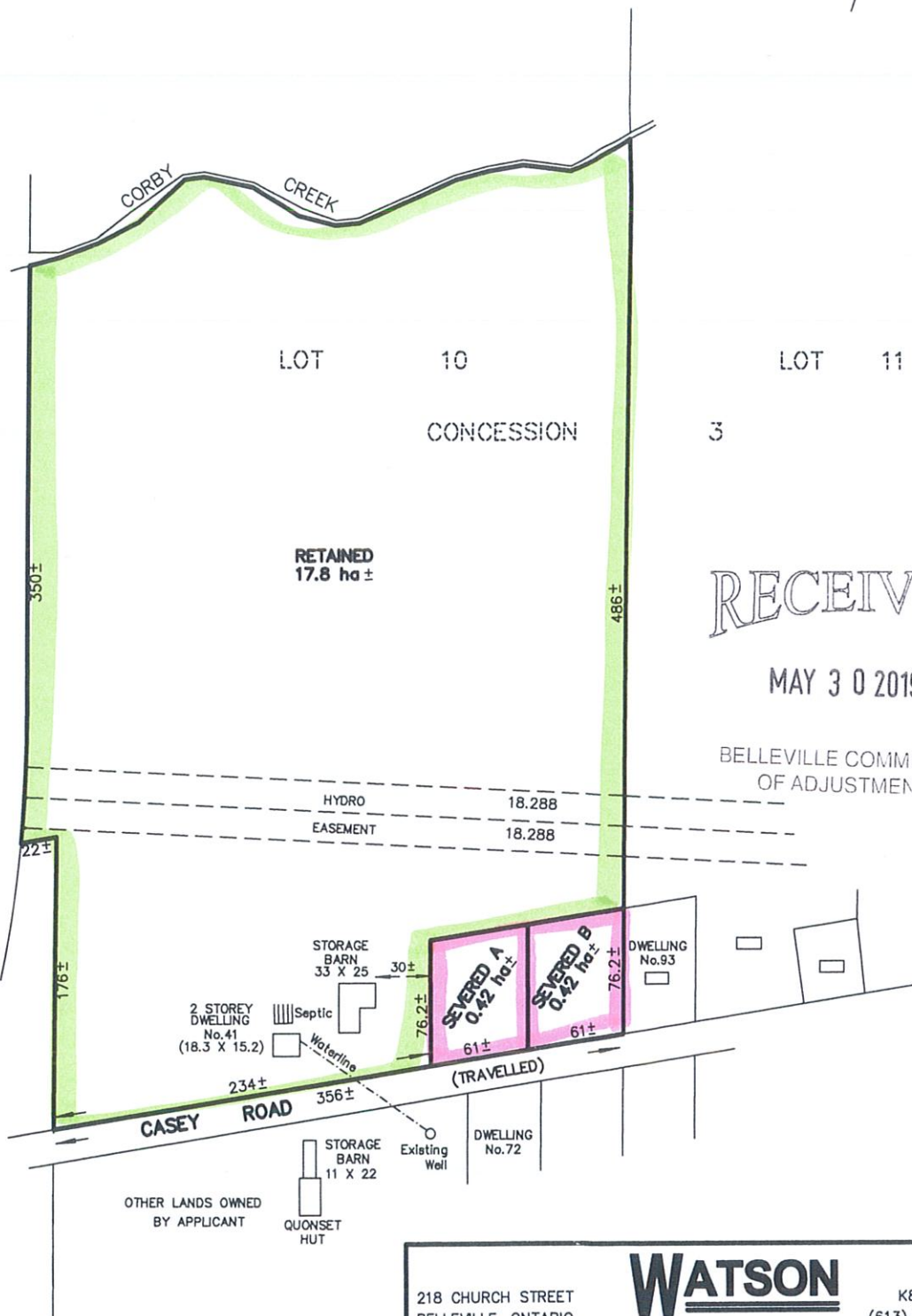
# SKETCH

PART OF LOT 10  
CONCESSION 3  
TOWNSHIP OF THURLOW  
NOW IN THE CITY OF BELLEVILLE  
COUNTY OF HASTINGS

METRIC SCALE 1 : 4000



THE KING'S HIGHWAY No. 37



RECEIVED

MAY 30 2019

BELLEVILLE COMMITTEE  
OF ADJUSTMENT

218 CHURCH STREET  
BELLEVILLE, ONTARIO

**WATSON**  
LAND SURVEYORS Ltd.

K8N - 3C3  
(613) 962 - 9521

MAY 27, 2019

PROJECT No 11223-P-19



**CONSENT APPLICATION REVIEW**  
**City of Belleville**

**Date:** July 9, 2019

**File No.:** B 13/19 & B 14/19

**Location:** 41 Casey Road

**Applicant:** Keith Watson, Watson Land Surveyors on behalf of  
Dave Putman & Beth Putman

**Proposal:** To sever the subject lands to create 2 new building lots, each with a lot area of  $\pm 0.42$  hectares and a lot frontage of  $\pm 61$  metres, on the north side of Casey Road.

**Retained Parcel:**

frontage:	$\pm 234$ metres
area:	$\pm 17.8$ hectares
current use:	farm land, dwelling, storage barn
proposed use:	no change

**Severed Parcel A:**

frontage:	$\pm 61$ metres
area:	$\pm 0.42$ hectares
current use:	vacant land/field
proposed use:	single detached dwelling

**Severed Parcel B:**

frontage:	$\pm 61$ metres
area:	$\pm 0.42$ hectares
current use:	vacant land/field
proposed use:	single detached dwelling

**Official Plan:**

Current Designation: Industrial Land Use

Permitted Uses: Until such time as lands designated Industrial land use located east of the Moira River are needed for industrial purposes, development and use of such lands in accordance with the policies of the **Rural** land use designation may be permitted.

Within areas designated Rural land use, a variety of land uses will be permitted including those permitted uses within the Agricultural land use designation, as well as limited residential, commercial/industrial and conservation and small-scale outdoor recreation 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 and H – Hazard Zone

Permitted Uses: farm and single family dwelling

Minimum lot area: 25 ha (0.4 ha in RR – Rural Residential Zone)

Minimum lot frontage: 100 m (45 m in RR – Rural Residential Zone)

### **Comments:**

1. policies in the Official Plan permit the severance of 2 building lots from the subject lands;
2. the 2 proposed severances allow for the creation of 2 new building lots that would meet the residential lot area and lot frontage requirements of the RR – Rural Residential Zone, and staff advises that approval should be conditional on re-zoning the severed parcels to RR;
3. the retained lot is smaller than the 25 ha required for agricultural uses in the PA Zone, as such a zoning by-law amendment should also address this deficiency;
4. a portion of the retained lot falls within the H – Hazard Zone, and the northern boundary abuts Corby Creek;
5. Quinte Conservation advises that they have no objection to the application as presented;
6. a safe source of drinking water needs to be provided for both severed parcels; confirmation of the quality and quantity of the water supply for the 2 severed parcels needs to be documented;
7. a safe and appropriate septic system needs to be provided for the 2 severed parcels;
8. severed and retained parcels should be re-zoned to an appropriate zone for the proposed lot sizes and uses;
9. Municipal policy is to collect a cash-in-lieu of parkland contribution for all new building lots that are created;
10. 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 (ie: local road).

### **Conclusion:**

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by Keith Watson, Watson Land Surveyors on behalf of Dave Putman & Beth Putman to sever the subject lands to create 2 new building lots, each with a lot area of  $\pm 0.42$  hectares and a lot frontage of  $\pm 61$  metres, 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 parcels and the necessary payment be lodged with the Treasurer of the City of Belleville;
3. 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 Casey Road road allowance;
4. the Owner to provide a properly completed Water Well Record for the severed parcels, certifying that the quantity of water on each parcel is not less than 3½ gallons per minute and that the water has passed the Health Unit Bacteriological Test;



5. the Owner to document that a proper sewage system can be accommodated on each of the severed parcels to the satisfaction of the City of Belleville;
6. that the severed and retained parcels be placed in an appropriate zone to reflect the proposed lot sizes and uses;
7. the necessary deeds to be submitted in triplicate and Conditions 1 to 6 inclusive be fulfilled prior to the issuance of the Consent Certificate;
8. Conditions 1 to 7 inclusive to be fulfilled within one (1) year of the Committee's Decision.
9. Any new development of the severed parcels will be subject to the payment of the applicable development charge.



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Greg Pinchin  
Manager of Approvals

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## MEMORANDUM

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To: Greg Pinchin  
Manager, Approvals Section

From: Jason Pettit  
Development Technologist

Date: July 3, 2019

Application No. B13 & 14/19

Regarding: Committee of Adjustment Application for Consent B13 & 14/19  
41 Casey Road, Belleville  
OWNER: Dave & Beth Putman

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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. Any existing drains on the retained or severed portions are not to be removed, altered or relocated without the consent of the City.
3. Both severed lots are to have their own well and septic systems.



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Jason Pettit



## QUINTE CONSERVATION - PLANNING ACT REVIEW

QC File No. PL0135-2019

Municipality:	City of Belleville		
Owner:	Dave and Beth Putman		
Location:	41 Casey Road	Part Lot 10, Concession 3	Thurlow
Roll #:	1208-100-035-00400-00000		
Application Description:	Consent Application File No. B13/19 and B14/19 Sever two new rural parcels, approximately 0.42 hectares in size fronting onto Casey Road, and retain a 17.8 hectare parcel which has an existing dwelling and storage barn		
Regulated Feature:	Corby Creek and associated wetlands (retained parcel)		
Comments:	<p><u>Planning Act - Natural Hazard policies of the Provincial Policy Statement and Quinte Conservation Planning Act Review policy</u></p> <p>Conservation Authorities have Provincially delegated responsibilities to represent Provincial interests regarding natural hazards under section 3.1 of the Provincial Policy Statement (PPS) (2014). Natural hazards include areas subject to flooding, prone to erosion, dynamic beaches and unstable bedrock. Generally the policies of the PPS direct development to areas outside of hazard lands. <u>Staff are satisfied that the application as presented is consistent with section 3.1 of the PPS as there is sufficient area for development outside of any flood-related hazard.</u></p> <p><u>Ontario Regulation #319/09 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)</u></p> <p>A portion of the <u>retained</u> lands lie within the regulated area of Corby Creek and associated wetlands (by virtue of Ontario Regulation #319/09 – Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses). <u>Please note that 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 seasonal high water mark/top of bank adjacent to Corby Creek and within 30 metres of any wetland boundary (whichever is greater).</u></p> <p><u>Quinte Region Source Protection Plan</u></p> <p>Quinte Conservation provides Risk Management services as prescribed by the <i>Clean Water Act</i>, 2006 on behalf of member municipalities. Part of this is reviewing building and planning applications to ensure no new significant drinking water threats as outlined in the Quinte Region Source Protection Plan are created. Policies for significant threats in the Quinte Region Source Protection Plan are <u>not applicable</u> to the subject property as it lies outside of an intake protection zone or wellhead protection area for a municipal drinking water system. <u>As such no Section 59 Clearance Notice is required.</u></p> <p><u>Planning Act - Natural Heritage policies of the Provincial Policy Statement</u></p> <p>Section 2.1 of the Natural Heritage policies of the Provincial Policy Statement protects features including (but not limited to); Provincially Significant Wetlands, significant woodlands and significant Areas of Natural and Scientific Interest. The subject lands do not lie within a Provincially Significant Wetland, or within an Area of Natural and Scientific Interest. Further, an Environmental Impact Study was not submitted at the request of the Municipality with the current planning application, and as per Quinte Conservation's Regulation and Policies we will not be requesting one.</p>		
Final Comments:	Quinte Conservation has no objection to the application as presented.		

*Sam Carney*

Sam Carney  
Planning and Regulations Technician

June 25, 2019  
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 18, 2019 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 Abby Pakyanathan, Dillion Consulting on behalf of Angela Henry, Bayview Mall.

The subject property is municipally known as 470 Dundas Street East, Bay View Mall, and is zoned C4-6 – Shopping Centre Commercial. The applicant is seeking consent for a long-term lease for the lands associated with the Tim Hortons on the subject property.

A sketch of the proposed consent is found on the back of this notice.


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 Approvals Section, 2<sup>nd</sup> 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 a person or public body that files an appeal of a decision of the City of Belleville Committee of Adjustment in respect of the proposed consent does not make a written submission to the City of Belleville Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

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

Dated this 27<sup>th</sup> day of June, 2019.

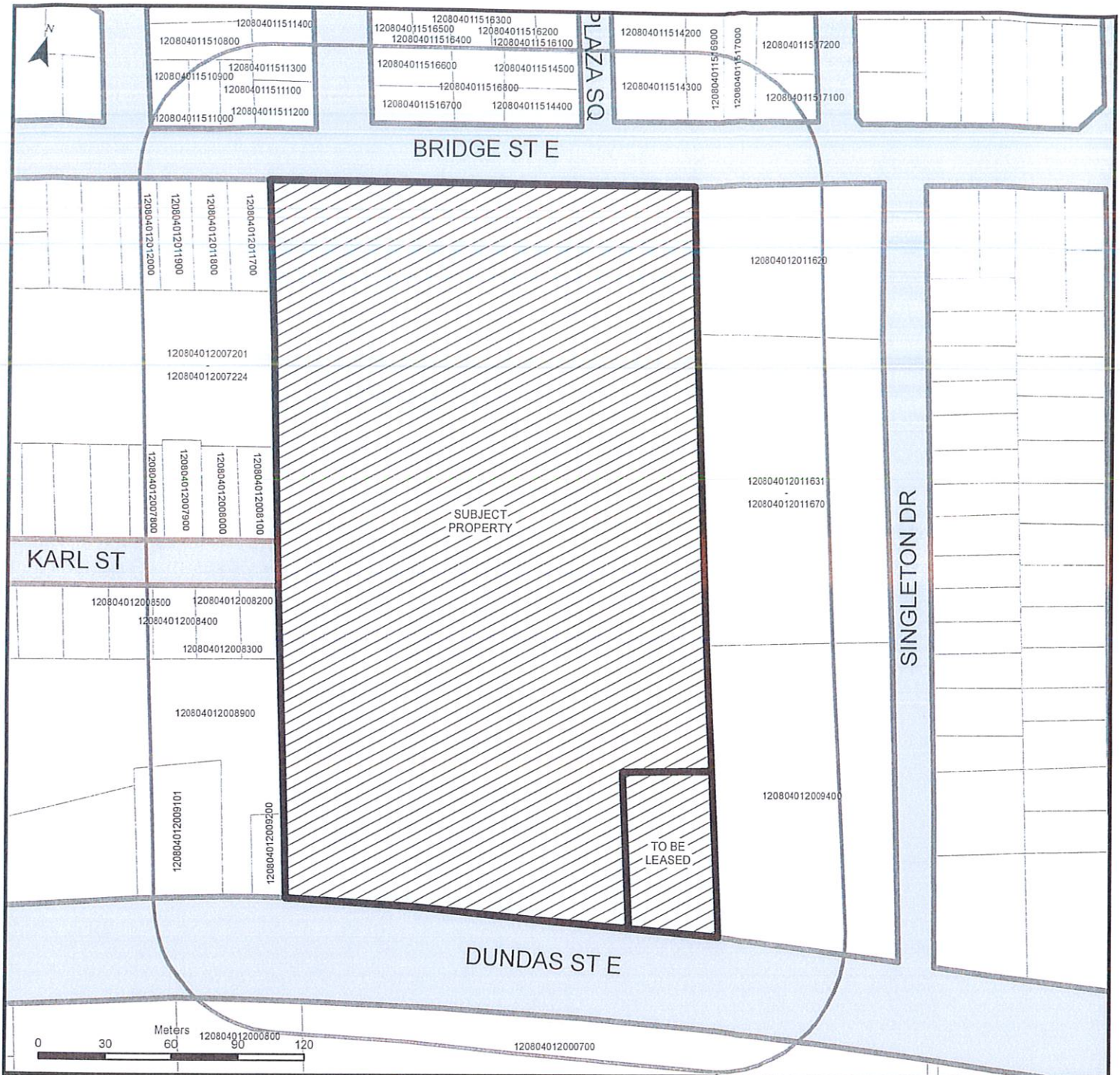


Greg Pinchin  
Manager of Approvals  
City of Belleville  
Committee of Adjustment  
169 Front Street  
BELLEVILLE, ON  
K8N 2Y8

Tel: (613) 967-3319

Email: [gpinchin@city.belleville.on.ca](mailto:gpinchin@city.belleville.on.ca)





**APPLICATION NO:**

**B 15/19**

**LOCATION:** 470 DUNDAS ST E  
120804012009300



Subject Property



Notification Area



**CITY OF BELLEVILLE**

ENGINEERING & DEVELOPMENT  
SERVICES DEPARTMENT



**CONSENT APPLICATION REVIEW**  
**City of Belleville**

**Date:** July 8, 2019

**File No.:** B 15/19

**Location:** 470 Dundas Street East

**Applicant:** Abby Pakyanathan, Dillon Consulting on behalf of Angela Henry, Bayview Mall

**Proposal:** To grant a lease in excess of 21 years for the "Tim Horton's" on the property located at 470 Dundas Street East.

**Lease:** extending the existing lease agreement for a period in excess of 21 years

**Official Plan:**

Current Designation: Commercial Land Use

Permitted Uses: a range of commercial land uses including an eating establishment

**Zoning By-law 10245:**

Current Zoning: C4-6 – Shopping Centre Commercial Zone

Permitted Uses: 1. retail store  
2. eating establishment

**Comments:**

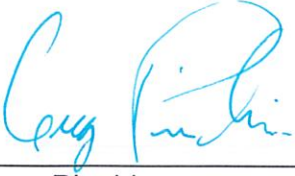
1. no new construction or development is being proposed for the subject lands;
2. the Tim Horton's is, and has been in operation for approximately 24 years;
3. the Planning Act requires all leases in excess of 21 years in length to be approved by a Committee of Adjustment;
4. the proposed application is essentially legal in nature; the owner of the subject lands wishes to extend the lease to Tim Horton's for longer than 21 years;
5. the proposed lease allows for the appropriate use of the subject lands, no new development is proposed;
6. the applicant has requested that the matter be deferred until the August meeting if there are any questions, as he is unable to attend this meeting – staff kept it on the agenda since notice of the public meeting was already sent out to surrounding property owners.

**Conclusion:**

Based on the foregoing, the Development Services Department has no objection to the application by Abby Pakyanathan, Dillon Consulting on behalf of Angela Henry, Bayview Mall for approval of a lease in excess of 21 years to Tim Horton's, for the eating establishment located on the subject lands,

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 documentation to be submitted in triplicate and Condition 1 be fulfilled prior to the issuance of the Consent Certificate;
3. Conditions 1 to 2 inclusive to be fulfilled within one (1) year of the Committee's Decision.



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Greg Pinchin  
Manager of Approvals



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## MEMORANDUM

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To: Greg Pinchin  
Manager, Approvals Section

From: Jason Pettit  
Development Technologist

Date: July 3, 2019

Application No. B15/19

Regarding: Committee of Adjustment Application for Consent B15/19  
470 Dundas Street East, Belleville  
OWNER: Angela Henry, Bayview Mall

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

We have no objection to this application.

A handwritten signature in black ink, consisting of a stylized 'J' followed by a horizontal line.

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Jason Pettit