

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.

4. GENERAL BUSINESS

Confirmation of the Minutes of the regular meeting of the Belleville Committee of Adjustment held on March 21, 2019.

5. CORRESPONDENCE

6. OTHER BUSINESS

- a) Application A 16/18 Application for Minor Variance
235 Dundas Street West
Owner: Jennifer Harris, MINDS on Childcare
Agent: Kaitlin Vallis, MINDS on Childcare

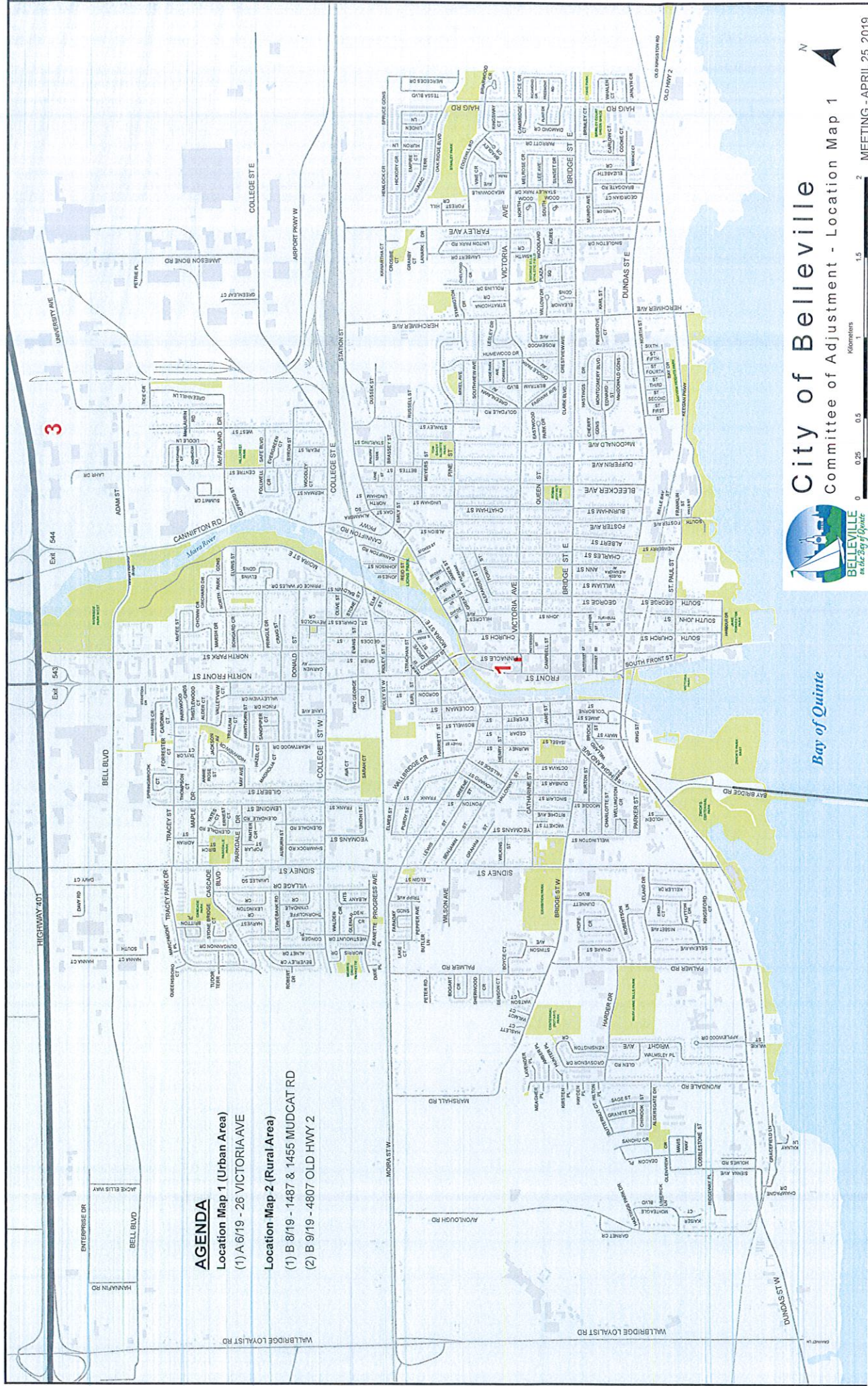
Correspondence from the Manager of Approvals dated April 17, 2019 is enclosed. No other responses were received.

- b) Application B 7/19 Application for Severance
Hwy #62, adjacent to 74 Sunningdale Drive
Owner: Reginald Barkema
Agent: Bryon Keene, Jewell Engineering Inc.

Revise Decision from March 21, 2019, amendment report dated March 11, 2019 from the Manager of Approvals is enclosed.

7. NEXT MEETING: Thursday May 23, 2019 at 3:30pm

8. ADJOURNMENT

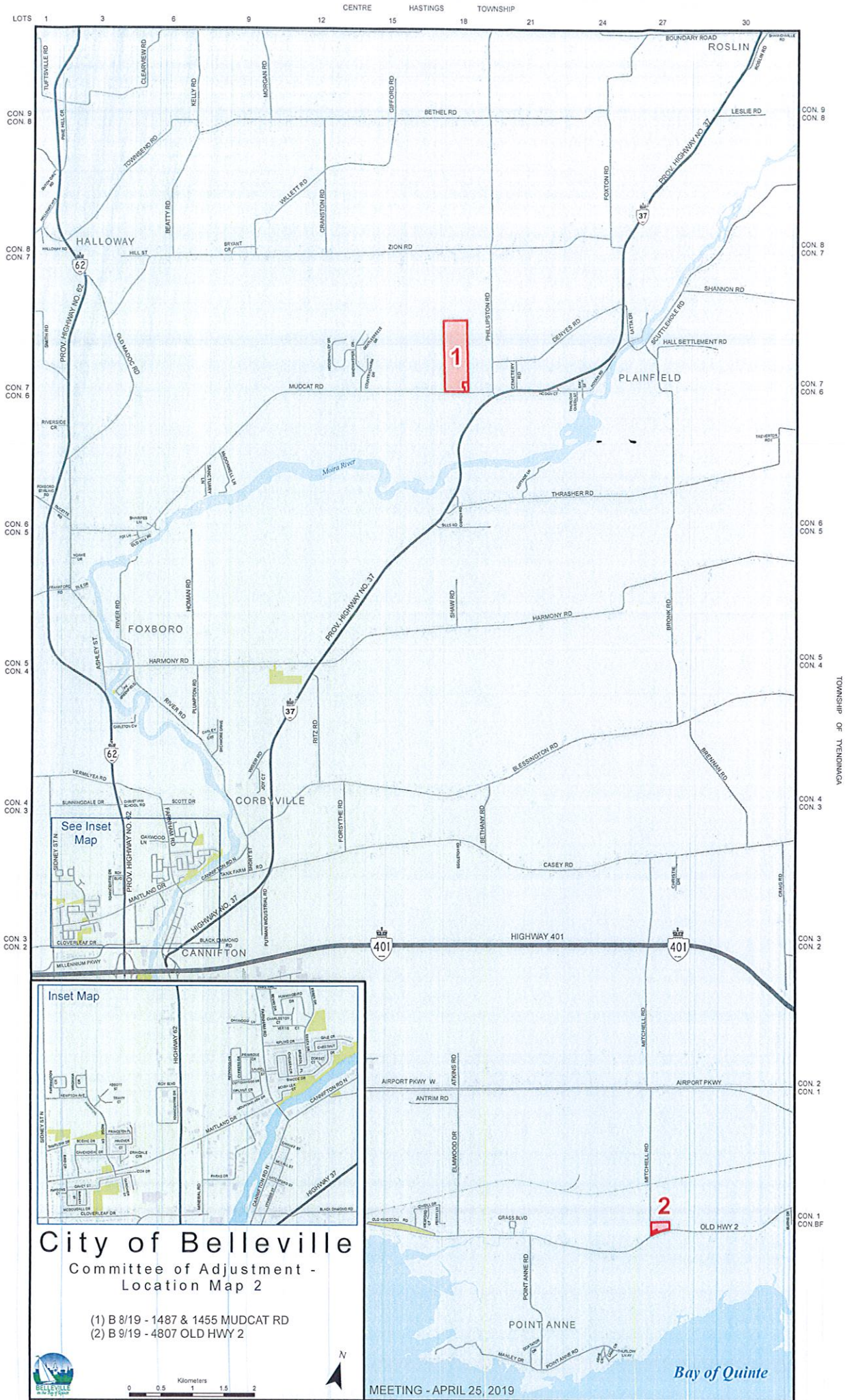


City of Belleville

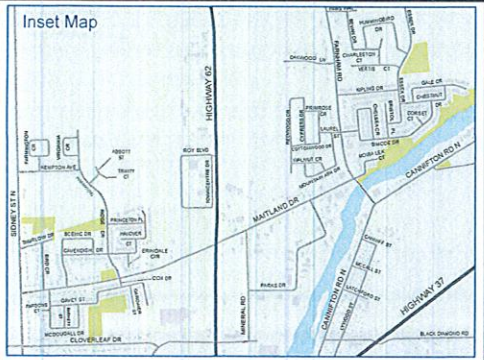
Committee of Adjustment - Location Map 1

MEETING - APRIL 25, 2019

- AGENDA**
- Location Map 1 (Urban Area)**
- (1) A 6/19 - 26 VICTORIA AVE
- Location Map 2 (Rural Area)**
- (1) B 8/19 - 1487 & 1455 MUDCAT RD
- (2) B 9/19 - 4807 OLD HWY 2



See Inset Map



City of Belleville

Committee of Adjustment -
Location Map 2

- (1) B 8/19 - 1487 & 1455 MUDCAT RD
- (2) B 9/19 - 4807 OLD HWY 2



MEETING - APRIL 25, 2019

Bay of Quinte

MINOR VARIANCE APPLICATION REVIEW
City of Belleville

Date: April 15, 2019

File No.: A6/19

Location: 20, 24, 26 Victoria Avenue

Applicant: Sharon Huckle, Tim Hennig – The Urban Collective

Proposal: To permit a boutique motel with one or two units in each building

Official Plan:

Current Designation: City Centre (Downtown)
Permitted Uses: a range of commercial and mixed uses

Zoning By-law 10245:

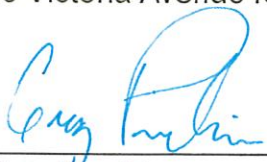
Current Zoning: C2-4 – General Commercial
Permitted Uses: motel with at least 3 rooms
Proposed Use: motel with as few as 1 or 2 rooms

Comments:

1. permitted uses include a range of commercial uses throughout the building, as well as residential units on upper floors;
2. a motel is defined as a commercial use, and may be located on the first floor;
3. the zoning by-law defines a motel as having at least three (3) rooms;
4. the proposed buildings have existed for over 100 years;
5. the size and configuration of the existing buildings is such that they can be more effectively used as fewer units; similarly the owner does not wish to combine them into a single property in order to meet the definition under the by-law;
6. there is ample parking to the rear of the buildings that is accessed from a driveway on the west side.

Conclusion:

Based on the foregoing, the Engineering & Development Services Department has no objection to the application by Sharon Huckle and Tim Hennig – The Urban Collective to permit the use of 20, 24, and 26 Victoria Avenue for a boutique motel with one or two units in each building.



Greg Pinchin
Manager of Approvals

MEMORANDUM

To: Greg Pinchin
Manager, Approvals Section

From: Jason Pettit
Development Technologist

Date: April 9, 2019

Application No. A6/19

Regarding: Committee of Adjustment Variance Application A6/19
20, 24, 26 Victoria Avenue, Belleville
OWNER: Sharon Huckle & Tim Henning

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

We have no objection to this application.



Jason Pettit

Keays, Christina

From: Marecak, Ted
Sent: Monday, April 01, 2019 11:39 AM
To: Pinchin, Greg
Cc: Keays, Christina
Subject: Committee of Adjustment Applications

Greg:

I offer the following comment on the most recent circulation of applications to the Committee of Adjustment:

A6/19

Please advise that applicant that if approved this conversion will require a change of use permit pursuant to the Ontario Building Code.

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 April 25, 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 Sharon Huckle, Tim Hennig – The Urban Collective.

The subject properties are known as 20, 24 and 26 Victoria Avenue, and are zoned C2-4 – General Commercial with Special Provisions. The Owner wishes to gradually repurpose the existing buildings on site for use as a small-scale boutique motel, and is seeking relief from the definition of a motel in the zoning by-law to also permit one or two units in each building, where a motel is currently defined as having three or more units.

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, 2nd Floor, Belleville City Hall, 169 Front Street, Belleville.

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

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

If a person or public body that files an appeal of a decision of the City of Belleville Committee of Adjustment in respect of the proposed minor variance does not make a written submission to the City of Belleville Committee of Adjustment before it gives or refuses to give approval, the 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 4th day of April, 2019.



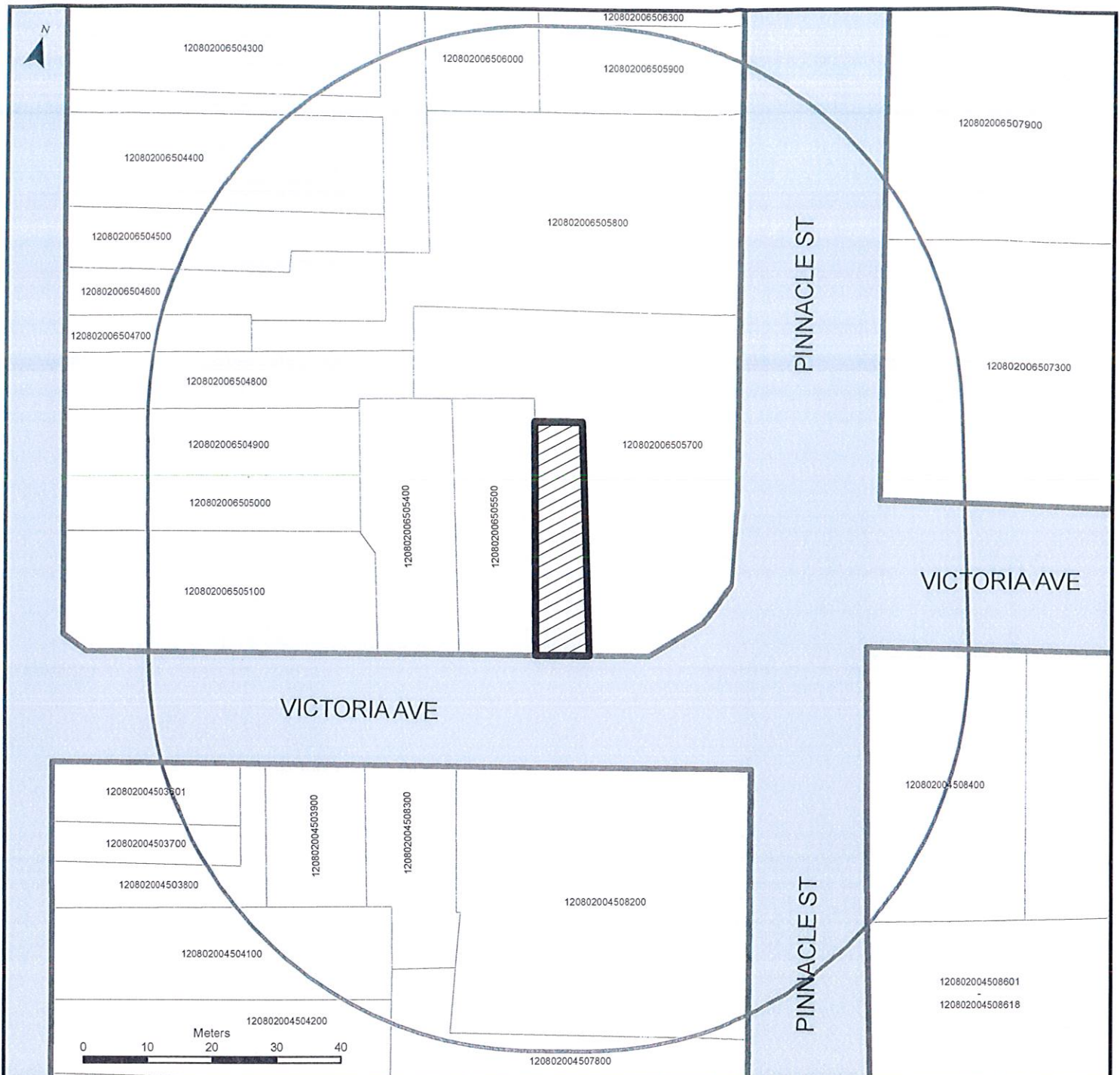
Greg Pinchin

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



APPLICATION NO:

A 6/19

LOCATION: 26 VICTORIA AVE
120802006505600



Subject Property



Notification Area



CITY OF BELLEVILLE

ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT

Our Plans With Properties at 20, 24 and 26 Victoria Avenue

We are applying for a minor zone variance to amend the bylaw to read a motel's definition from "3 or more rooms" to "2 or more rooms"

PHASE ONE (Spring 2019)

convert 26 Victoria Avenue into a boutique motel with 2 separate units
fire separation and dampers are already in place from previous renovations
we need to build some walls in the middle room
most is existing based on previous use, the rest is cosmetic

PHASE TWO (2 year plan)

convert 24 Victoria Avenue into a single unit boutique motel (2 bedrooms,
bathroom, kitchen, dining room, living room)
apart from a bathroom renovation, most is existing based on previous use,
the rest is cosmetic

PHASE THREE (5 year plan)

convert 20 Victoria Avenue into single unit boutique motel (3 bedrooms, 2
bathrooms, living room, dining room, kitchen)
apart from a bathroom renovation, most is existing based on previous use,
the rest is cosmetic

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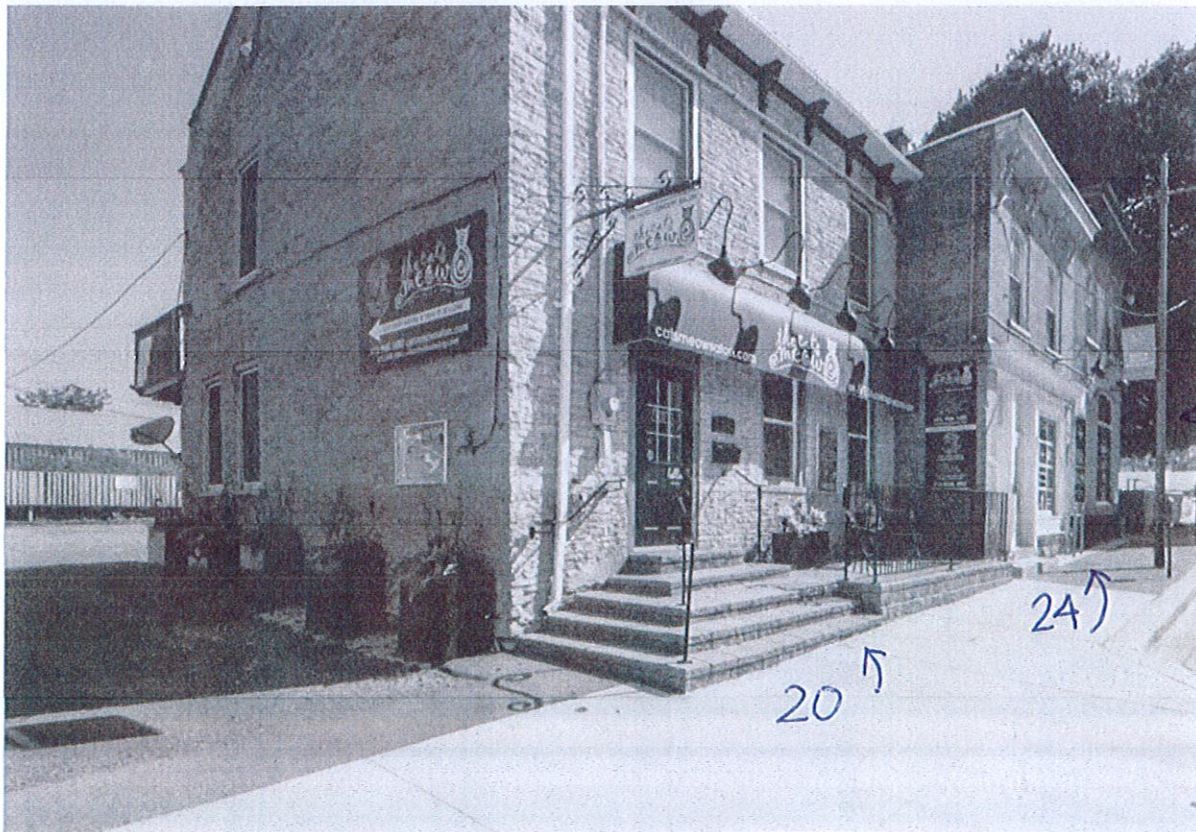
MAR 27 2019

BELLEVILLE COMMITTEE
OF ADJUSTMENT



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20

↑
24



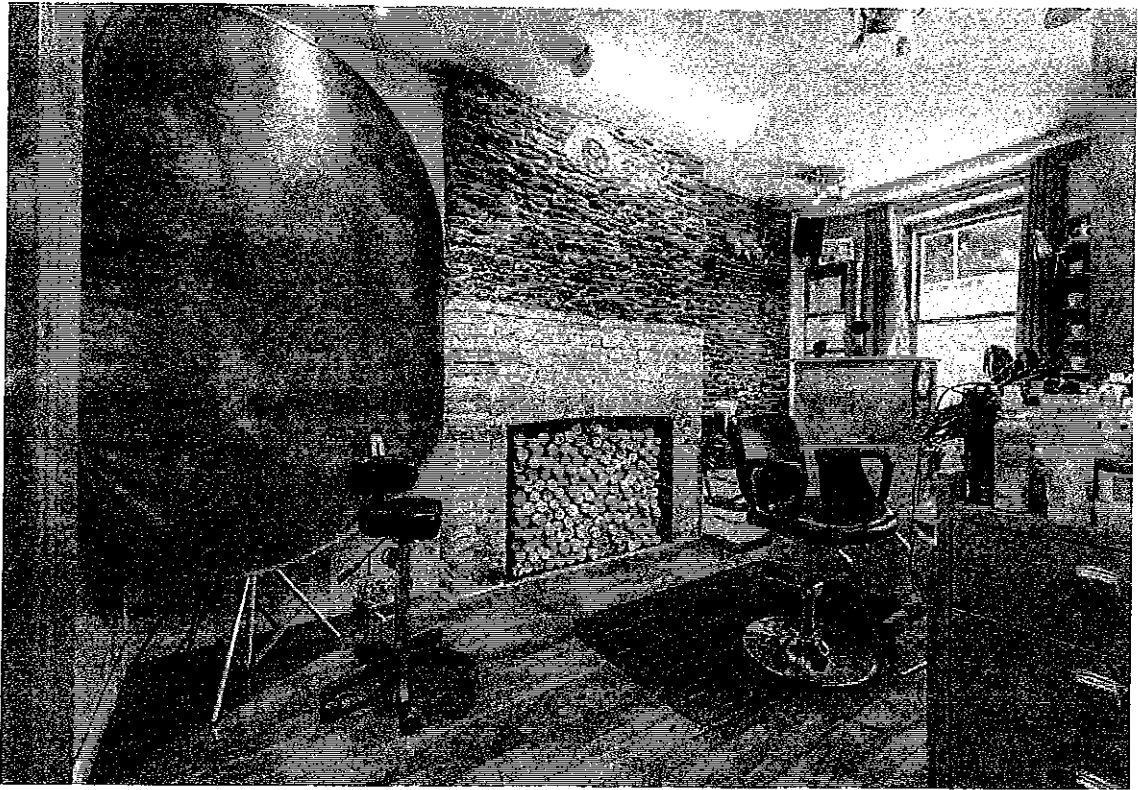
20 ↗

24 ↗

26 ↗

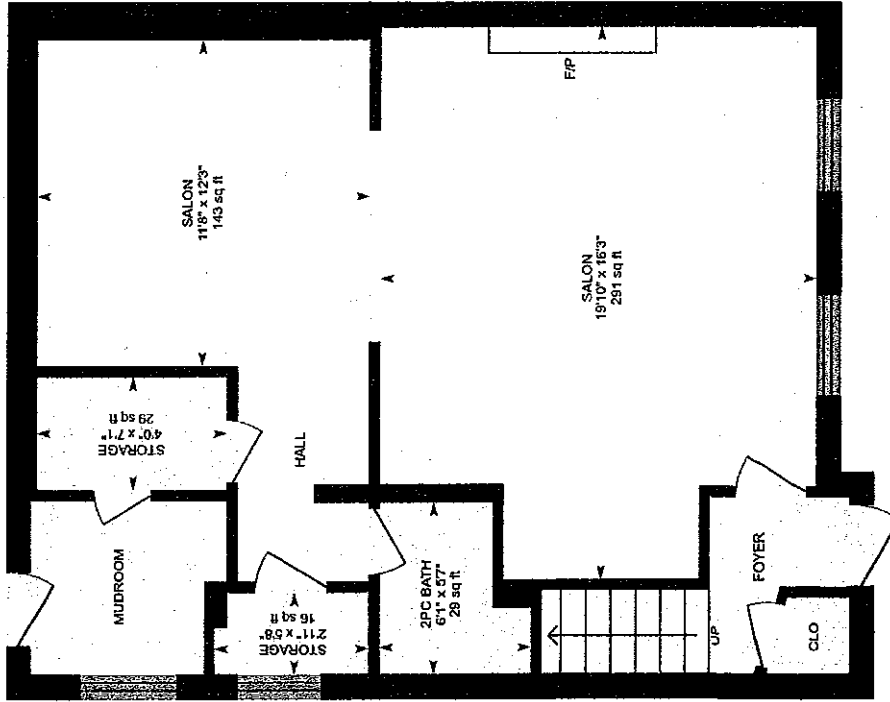






20 Victoria Ave, Belleville, ON

Main Building: Total Exterior Area 1562 sq ft

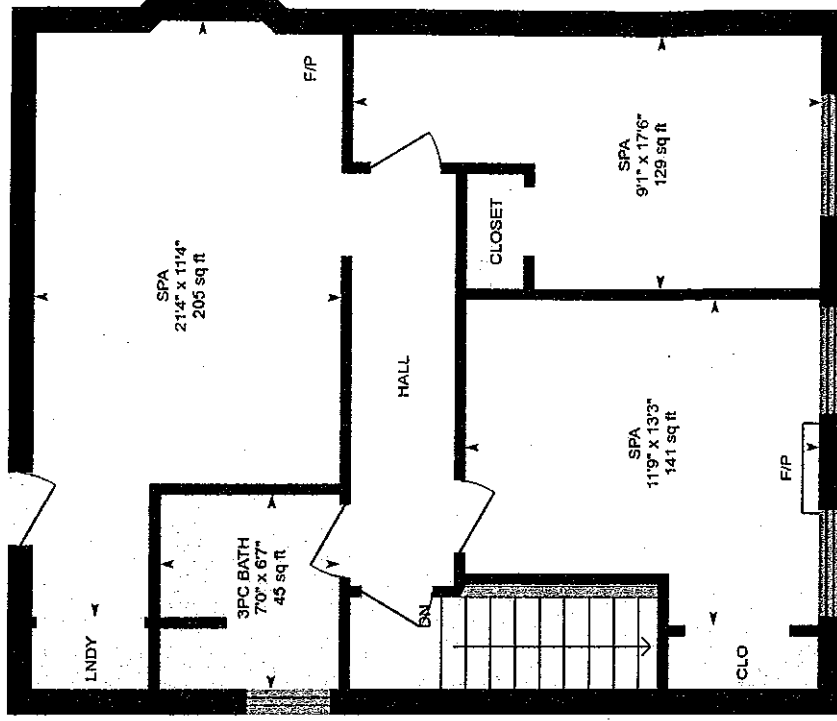


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ft

The Salon
Exterior Area 774 sq ft



2nd Floor Spa
Exterior Area 788 sq ft

PREPARED: Jul, 2018

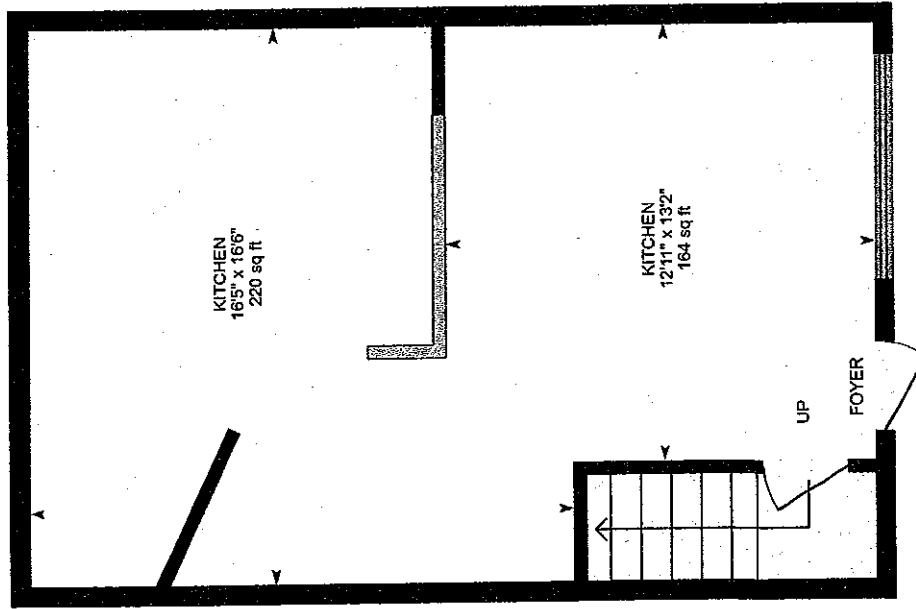
While regions are excluded from total floor area. All room dimensions and floor areas must be considered approximate and are subject to independent verification. For method of measurement please see [https://www.royallepage.ca/interior-measure/](#)

OF ADJUSTMENT

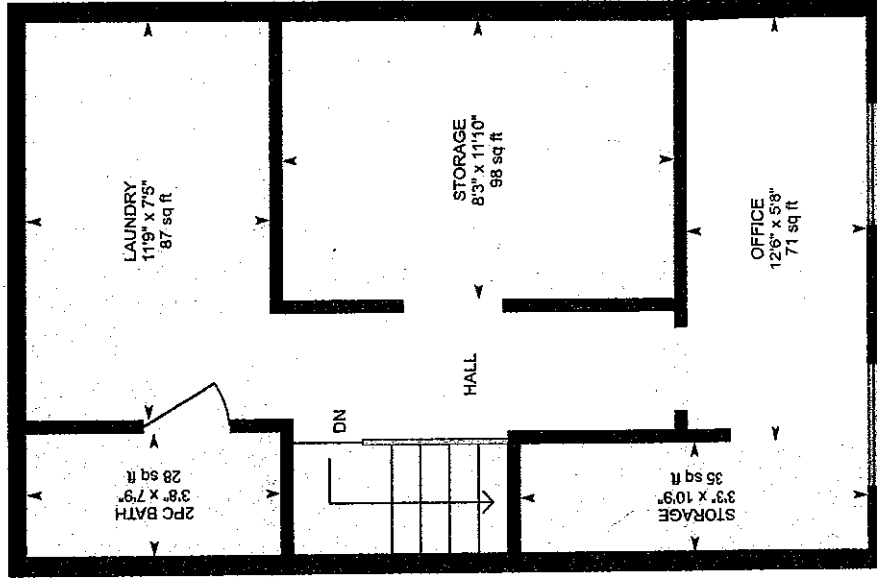


20 Victoria Ave, Belleville, ON

Main Building



Kitchen



Upper Storage

0 2 4 ft

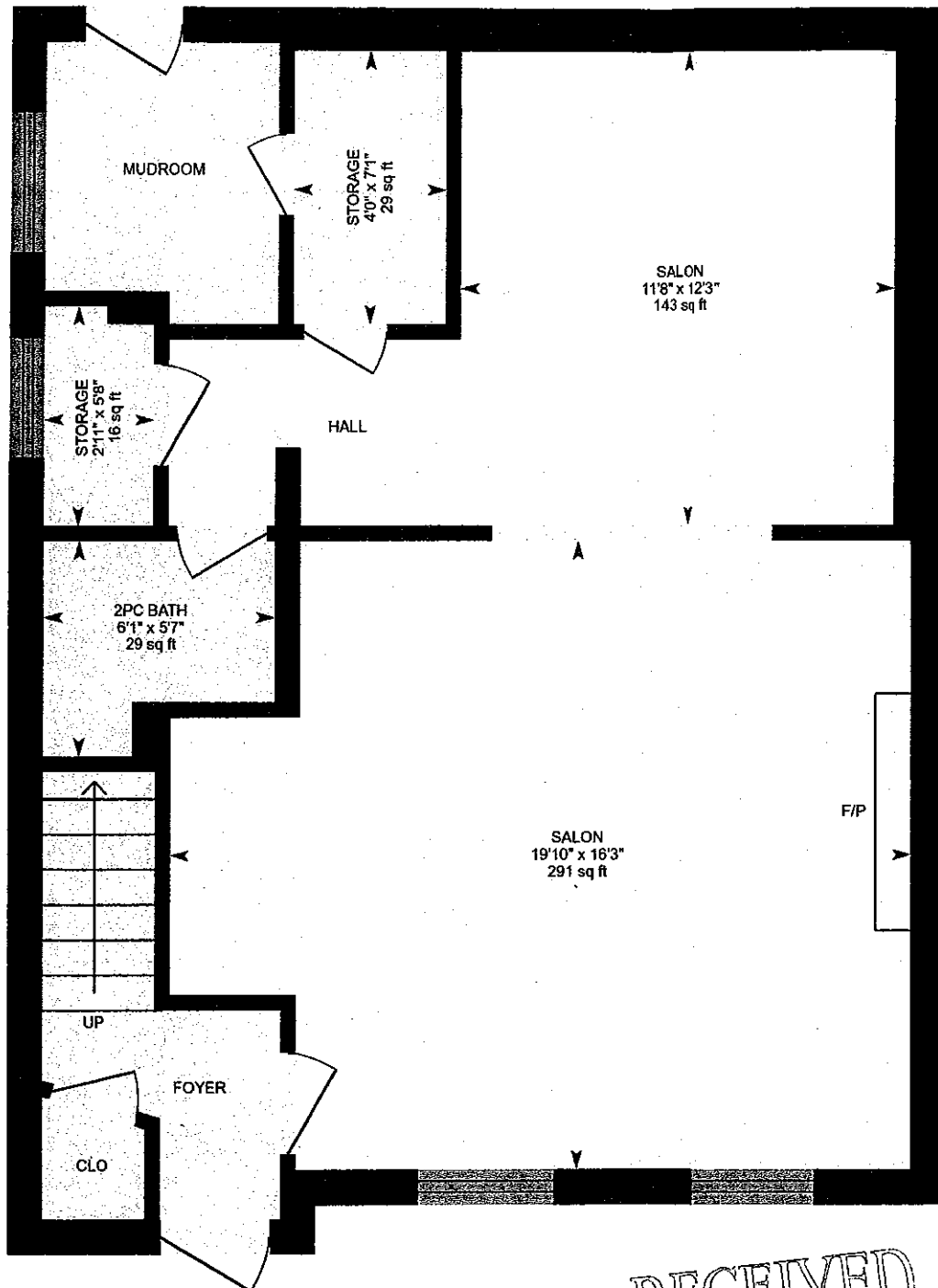
PREPARED: Jul, 2018

White regions are excluded from total floor area. All room dimensions and floor areas must be considered approximate and are subject to independent verification. For method of measurement please see <https://youriguide.com/measure/>.



20 Victoria Ave, Belleville, ON

The Salon Total Exterior Area 774 sq ft
Total Interior Area 673 sq ft



0 2 4 ft

PREPARED: Jul, 2018

RECEIVED

MAR 27 2019



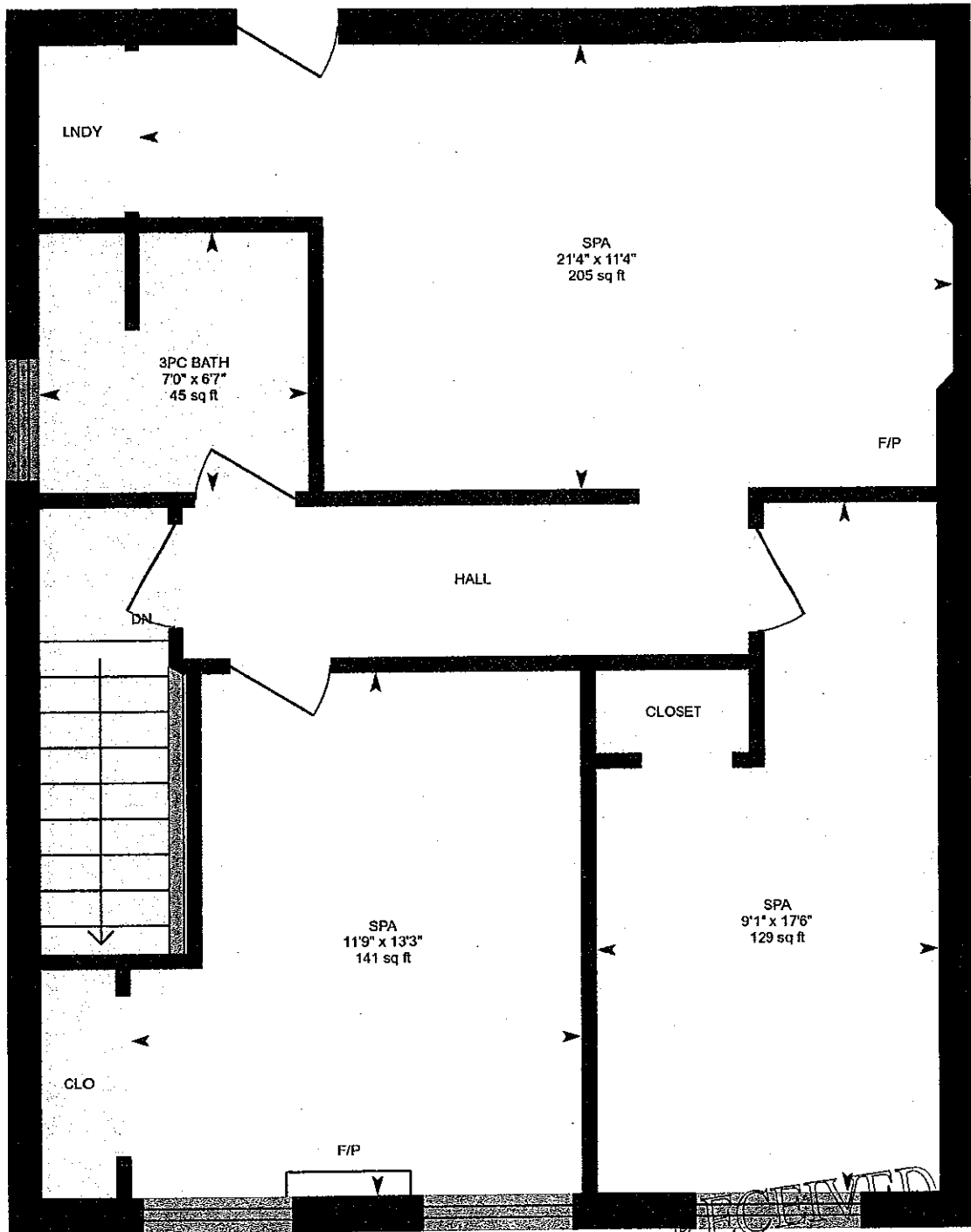
White regions are excluded from total floor area. All room dimensions and floor areas must be considered approximate and are subject to independent verification. For method of measurement please see <https://youriguide.com/measure/>.

BELLEVILLE COMMUNITY DEVELOPMENT
OF ADJUSTMENT

iGUIDE

20 Victoria Ave, Belleville, ON

2nd Floor Spa Total Exterior Area 788 sq ft
Total Interior Area 688 sq ft



0 2 4 ft

PREPARED: Jul, 2018

MAR 27 2019



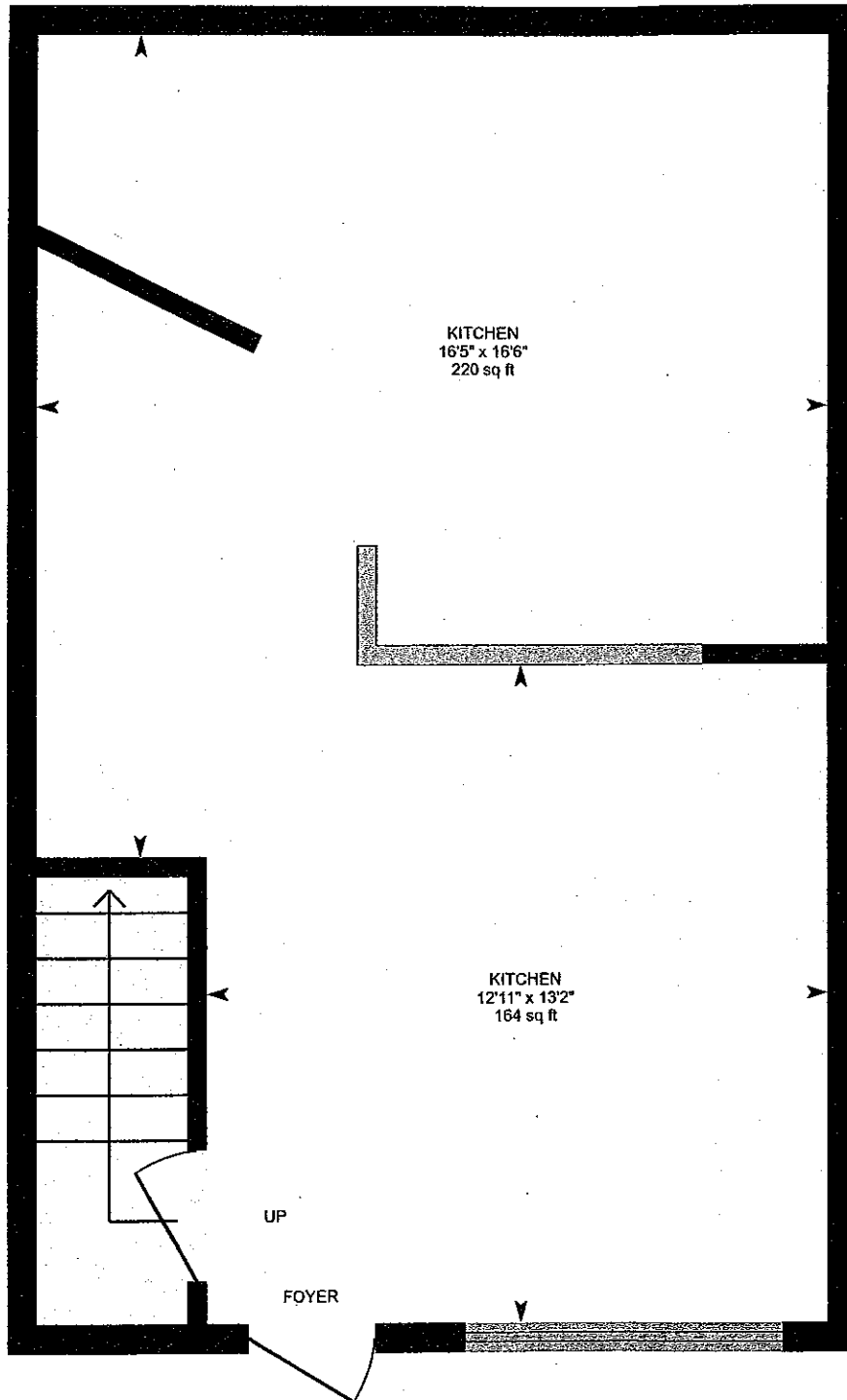
White regions are excluded from total floor area. All room dimensions and floor areas must be considered approximate and are subject to independent verification. For method of measurement please see <https://youriguide.com/measure/>.

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BELLEVILLE COMMITTEE
OF ADJUSTMENT

IGUIDE

20 Victoria Ave, Belleville, ON

Kitchen Total Interior Area 424 sq ft



0 2 4 ft

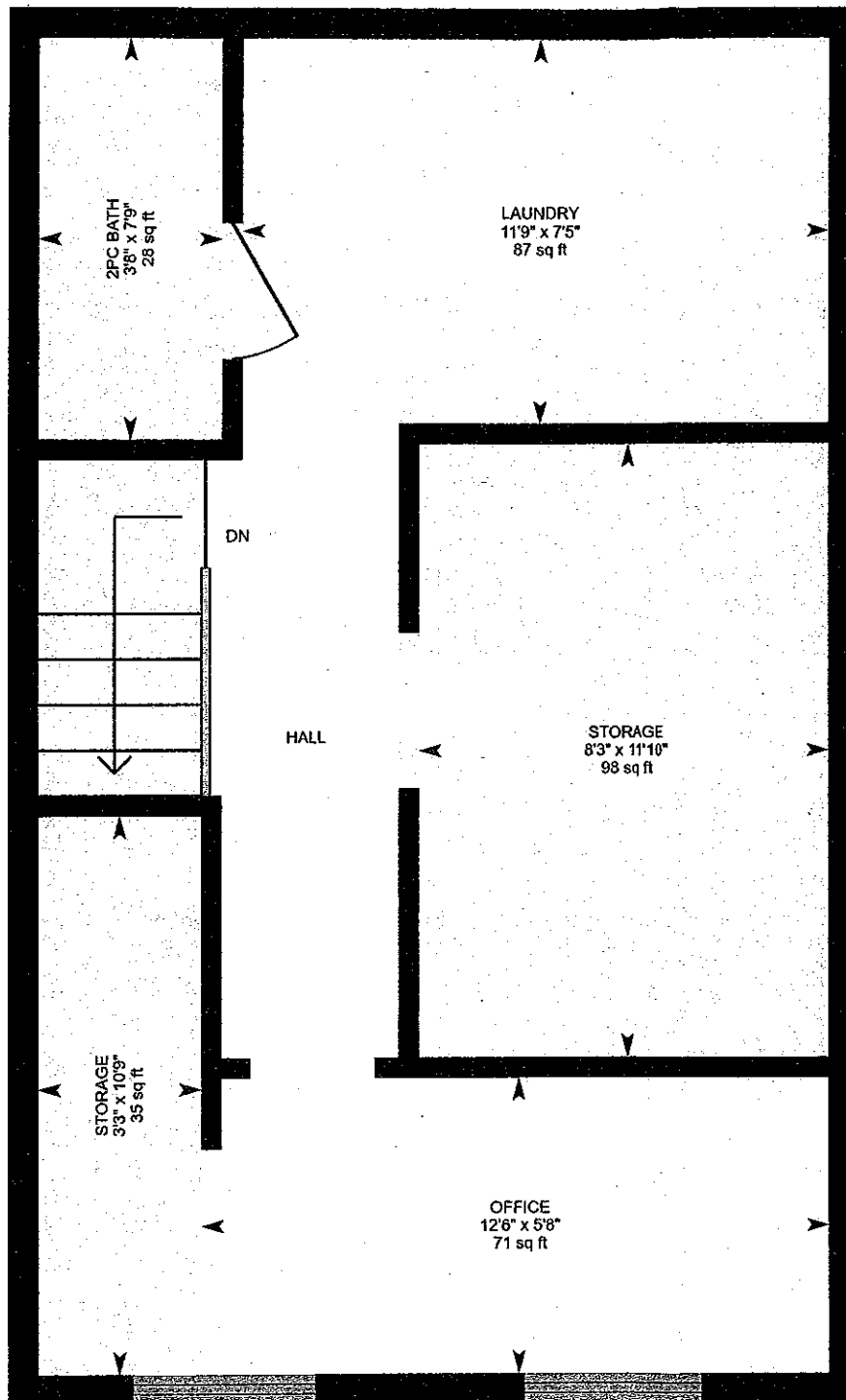
PREPARED: Jul, 2018

White regions are excluded from total floor area. All room dimensions and floor areas must be considered approximate and are subject to independent verification. For method of measurement please see <https://youriguide.com/measure/>.

 iGUIDE

20 Victoria Ave, Belleville, ON

Upper Storage Total Interior Area 405 sq ft




0 2 4 ft

PREPARED: Jul, 2018

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White regions are excluded from total floor area. All room dimensions and floor areas must be considered approximate and are subject to independent verification. For method of measurement please see <https://youriguide.com/measure/>.

BELLEVILLE COMMITTEE OF ADJUSTMENT 

20 Victoria Ave, Belleville, ON

Property Details

Room Measurements

Only major rooms are listed. Some listed rooms may be excluded from total interior floor area (e.g. garage). Room dimensions are largest length and width; parts of room may be smaller. Room area is not always equal to product of length and width.

Main Building

THE SALON

Salon: 19'10" x 16'3" | 291 sq ft
2pc Bath: 6'1" x 5'7" | 29 sq ft
Storage: 2'11" x 5'8" | 16 sq ft
Storage: 4'0" x 7'1" | 29 sq ft
Salon: 11'8" x 12'3" | 143 sq ft

2ND FLOOR SPA

Spa: 21'4" x 11'4" | 205 sq ft
Spa: 11'9" x 13'3" | 141 sq ft
3pc Bath: 7'0" x 6'7" | 45 sq ft
Spa: 9'1" x 17'6" | 129 sq ft

Main Building

KITCHEN

Kitchen: 12'11" x 13'2" | 164 sq ft
Kitchen: 16'5" x 16'6" | 220 sq ft

UPPER STORAGE

Office: 12'6" x 5'8" | 71 sq ft
Storage: 3'3" x 10'9" | 35 sq ft
2pc Bath: 3'8" x 7'9" | 28 sq ft
Storage: 8'3" x 11'10" | 98 sq ft
Laundry: 11'9" x 7'5" | 87 sq ft

Floor Area Information

For explanation of floor area calculations and method of measurement please see <http://youriguide.com/measure/>

Main Building

Building Perimeter Wall Thickness: 11 in

THE SALON

Interior Area: 673 sq ft
Perimeter Wall Length: 111 ft
Exterior Area: 774 sq ft

2ND FLOOR SPA

Interior Area: 688 sq ft
Perimeter Wall Length: 109 ft
Exterior Area: 788 sq ft

Main Building

KITCHEN

Interior Area: 424 sq ft
Perimeter Wall Length: 87 ft

UPPER STORAGE

Interior Area: 405 sq ft
Perimeter Wall Length: 85 ft

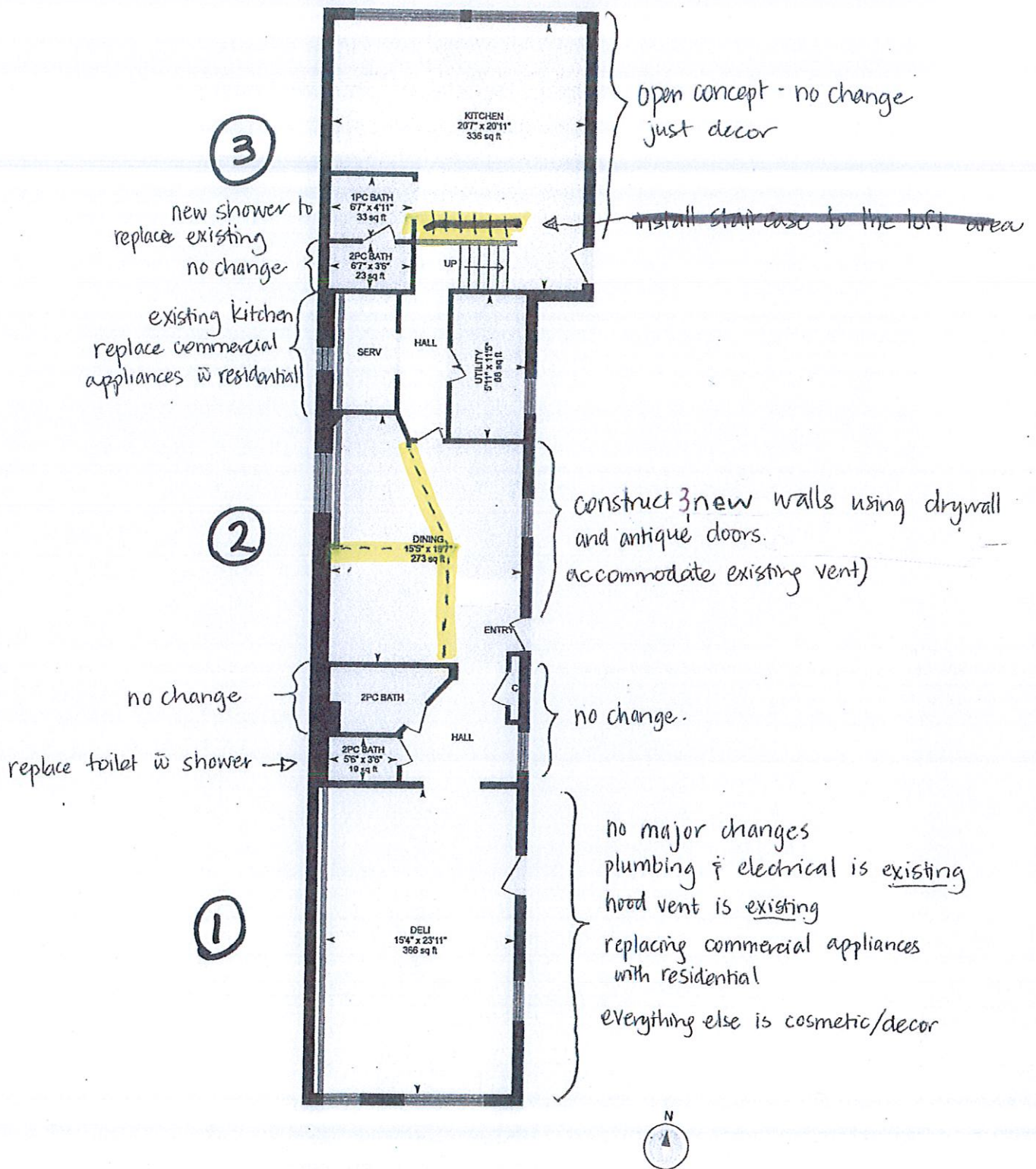
Total Floor Area

Main Building Interior: 1361 sq ft
Main Building Exterior: 1562 sq ft

Main Building Interior: 829 sq ft

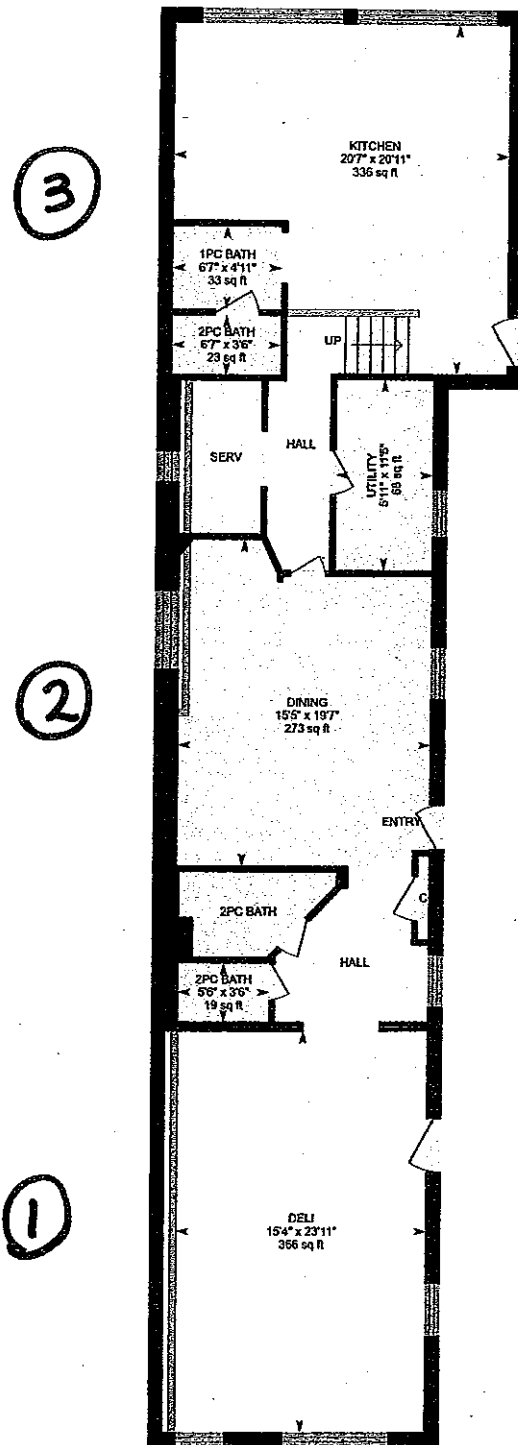
26 Victoria Ave, Belleville, ON

26 Victoria Total Exterior Area 1603 sq ft
Total Interior Area 1400 sq ft



26 Victoria Ave, Belleville, ON

26 Victoria Total Exterior Area 1603 sq ft
Total Interior Area 1400 sq ft



0 5 10
ft

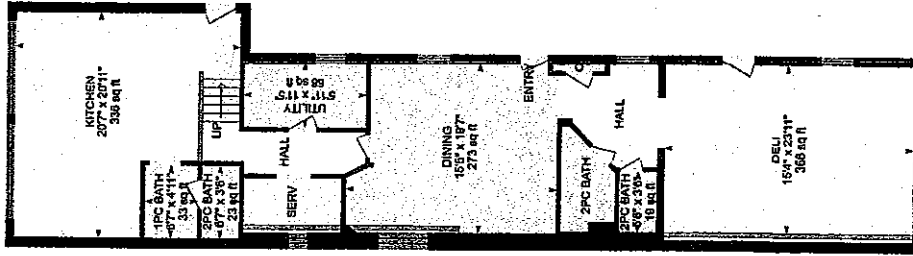
PREPARED: Jul, 2018

White regions are excluded from total floor area. All room dimensions and floor areas must be considered approximate and are subject to independent verification. For method of measurement please see <https://youriguide.com/measure/>.

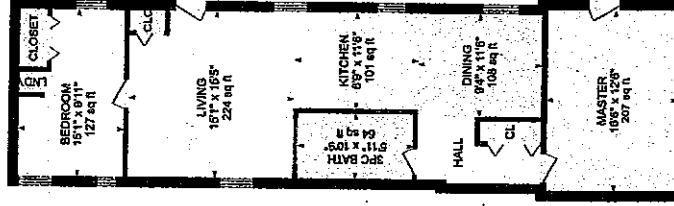
iGUIDE

26 Victoria Ave, Belleville, ON

Main Building: Total Exterior Area 2705 sq ft

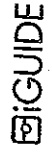


26 Victoria
Exterior Area 1603 sq ft



Upper Apartment
Exterior Area 1101 sq ft

PREPARED: Jul, 2018



White regions are excluded from total floor area. All room dimensions and floor areas must be considered approximate and are subject to independent verification. For method of measurement please see <https://yourguide.com/measure/>.

26 Victoria Ave, Belleville, ON

Property Details

Room Measurements

Only major rooms are listed. Some listed rooms may be excluded from total interior floor area (e.g. garage). Room dimensions are largest length and width; parts of room may be smaller. Room area is not always equal to product of length and width.

Main Building

26 VICTORIA

2pc Bath: 9'7" x 5'1" | 38 sq ft
Dining: 15'5" x 19'7" | 273 sq ft
Deli: 15'4" x 23'11" | 366 sq ft
Kitchen: 20'7" x 20'11" | 336 sq ft
2pc Bath: 5'6" x 3'6" | 19 sq ft
Utility: 5'11" x 11'5" | 68 sq ft
1pc Bath: 6'7" x 4'11" | 33 sq ft
2pc Bath: 6'7" x 3'6" | 23 sq ft

UPPER APARTMENT

Living: 15'1" x 15'5" | 224 sq ft
Kitchen: 8'9" x 11'6" | 101 sq ft
Dining: 9'4" x 11'6" | 108 sq ft
Bedroom: 15'1" x 9'11" | 127 sq ft
3pc Bath: 5'11" x 10'9" | 64 sq ft
Master: 16'6" x 12'6" | 207 sq ft

Floor Area Information

For explanation of floor area calculations and method of measurement please see <http://youriguide.com/measure/>

Main Building

Building Perimeter Wall Thickness: 11 in

26 VICTORIA

Interior Area: 1400 sq ft
Perimeter Wall Length: 222 ft
Exterior Area: 1603 sq ft

UPPER APARTMENT

Interior Area: 955 sq ft
Perimeter Wall Length: 160 ft
Exterior Area: 1101 sq ft

Total Floor Area

Main Building Interior: 2354 sq ft
Main Building Exterior: 2705 sq ft

**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 April 25, 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 Clint Hamilton on behalf of Robert Rollins.

The subject property is municipally known as 1437 & 1455 Mudcat Road, and is zoned PA – Prime Agriculture and RU – Rural. The property was two parcels that inadvertently merged together, as a result there are now two farm dwellings on the property and the applicant wishes to sever, in order to separate the larger farm parcel from the dwelling and out-buildings that is located in the southeast corner. The resulting parcels would have frontages of approximately 315 m and 61 m, and areas of approximately 46 ha and 1 ha, respectively.

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

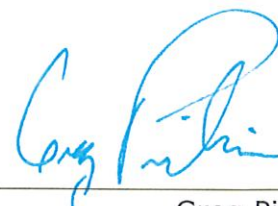
Additional information relating to this proposed consent application in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act is available for inspection between 8:30 A.M. and 4:30 P.M., Monday to Friday, at the Approvals Section, 2nd Floor, Belleville City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

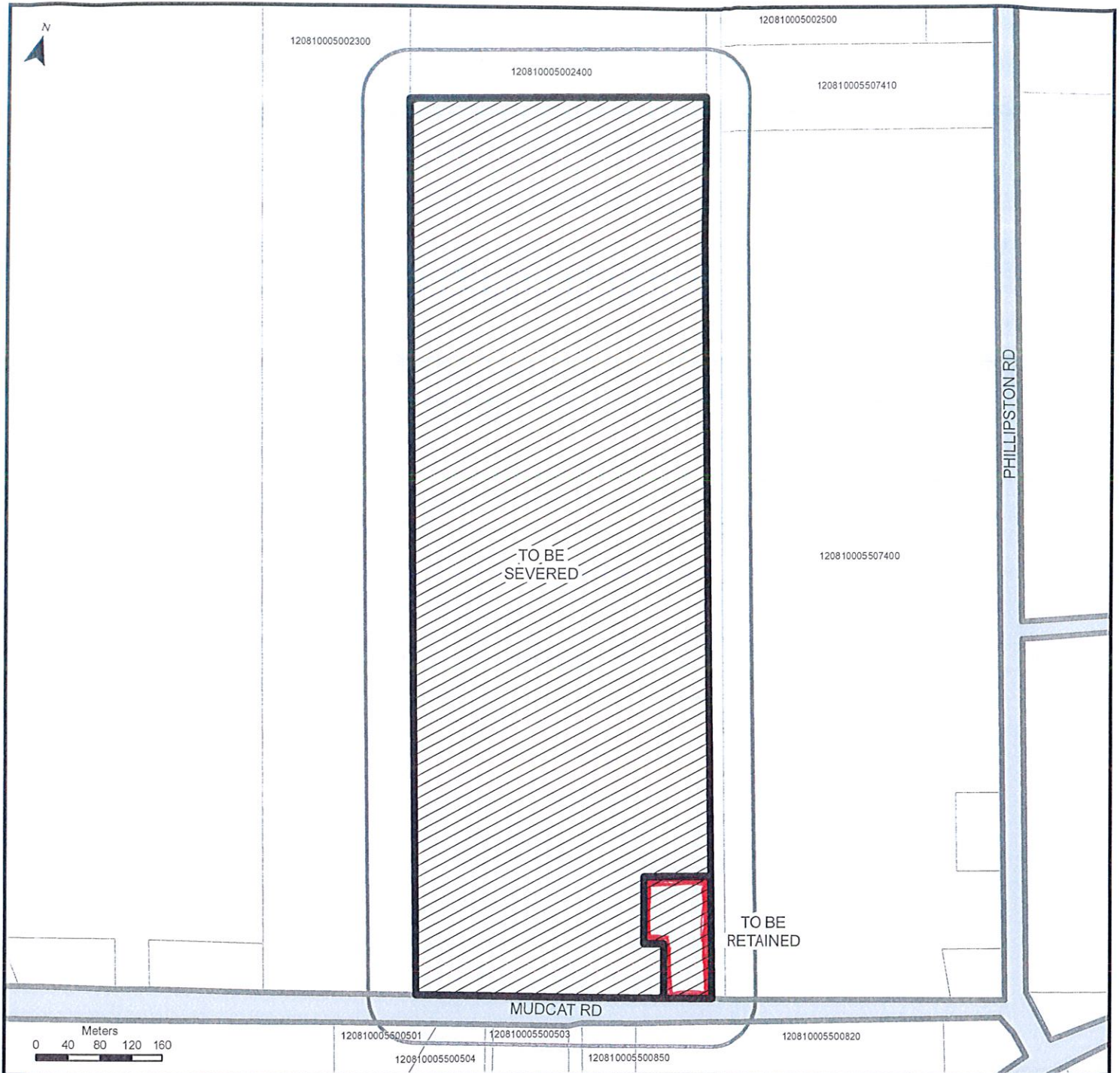
If a person or public body that files an appeal of a decision of the City of Belleville Committee of Adjustment in respect of the proposed consent does not make a written submission to the City of Belleville Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning 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 4th day of April, 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



APPLICATION NO:

B 8/19

LOCATION: 1437 & 1455 MUDCAT RD
120810005507100
120810005507200



Subject Property

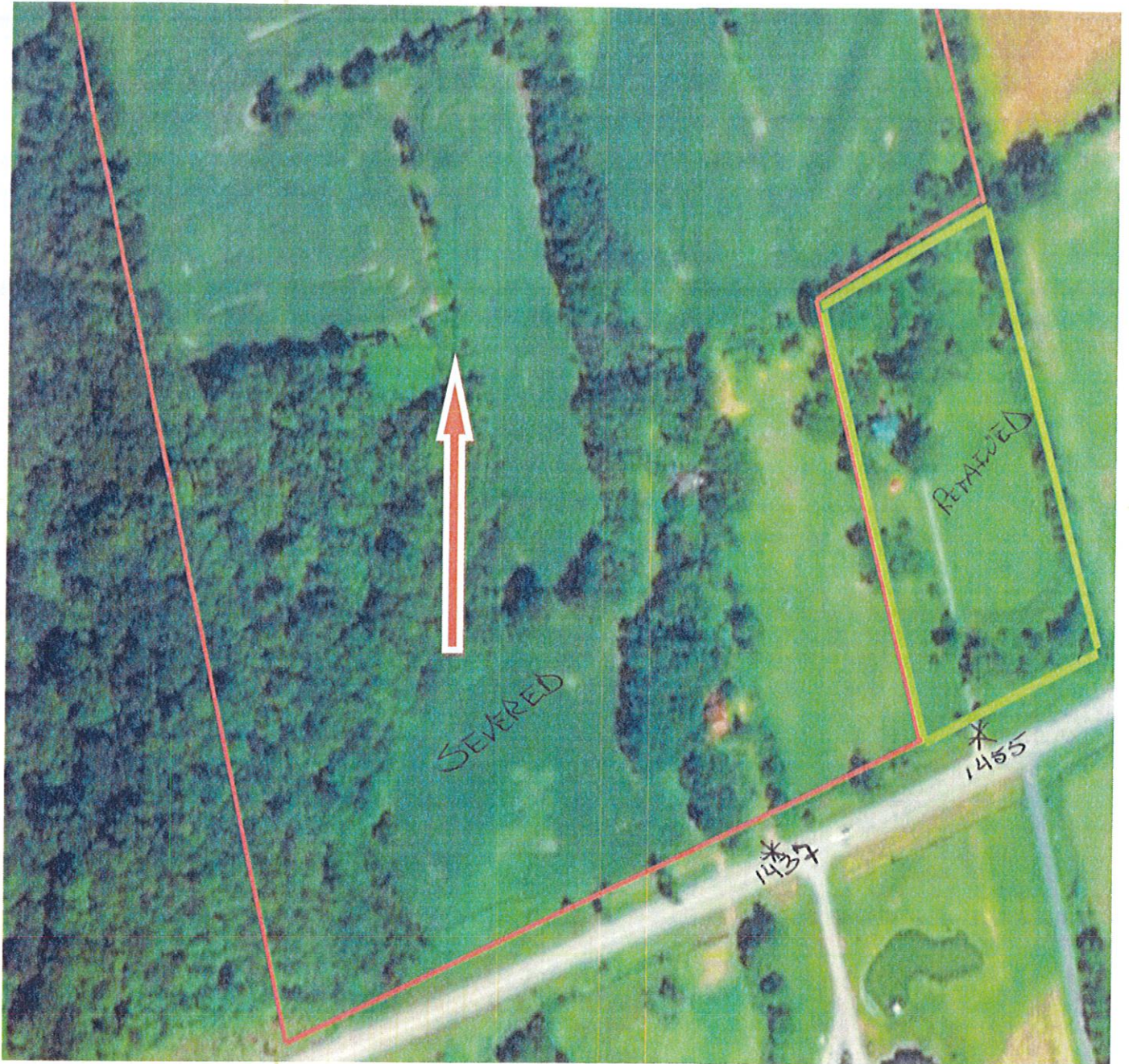


Notification Area



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT

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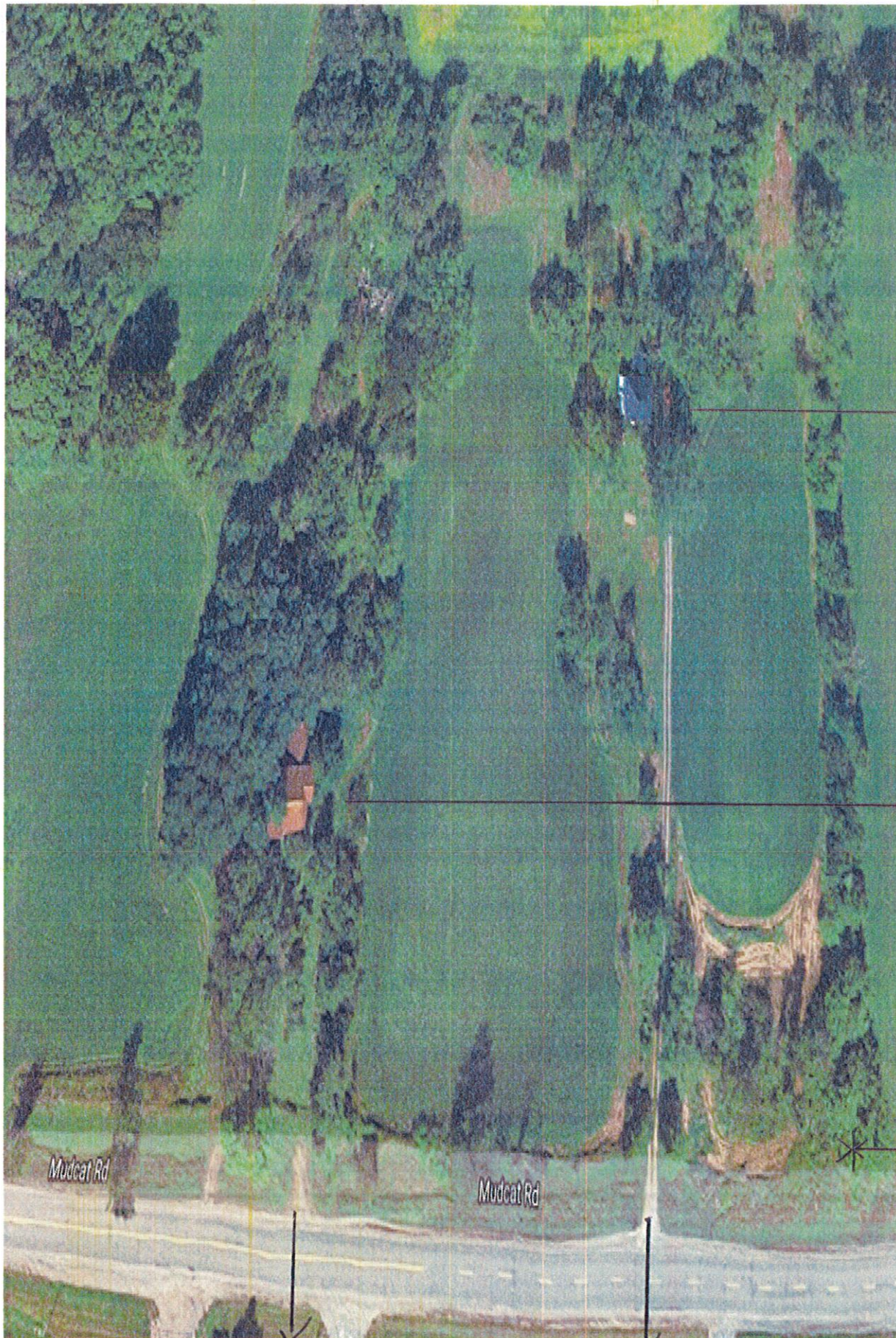
MAR 26 2019

BELLEVILLE COMMITTEE
OF ADJUSTMENT



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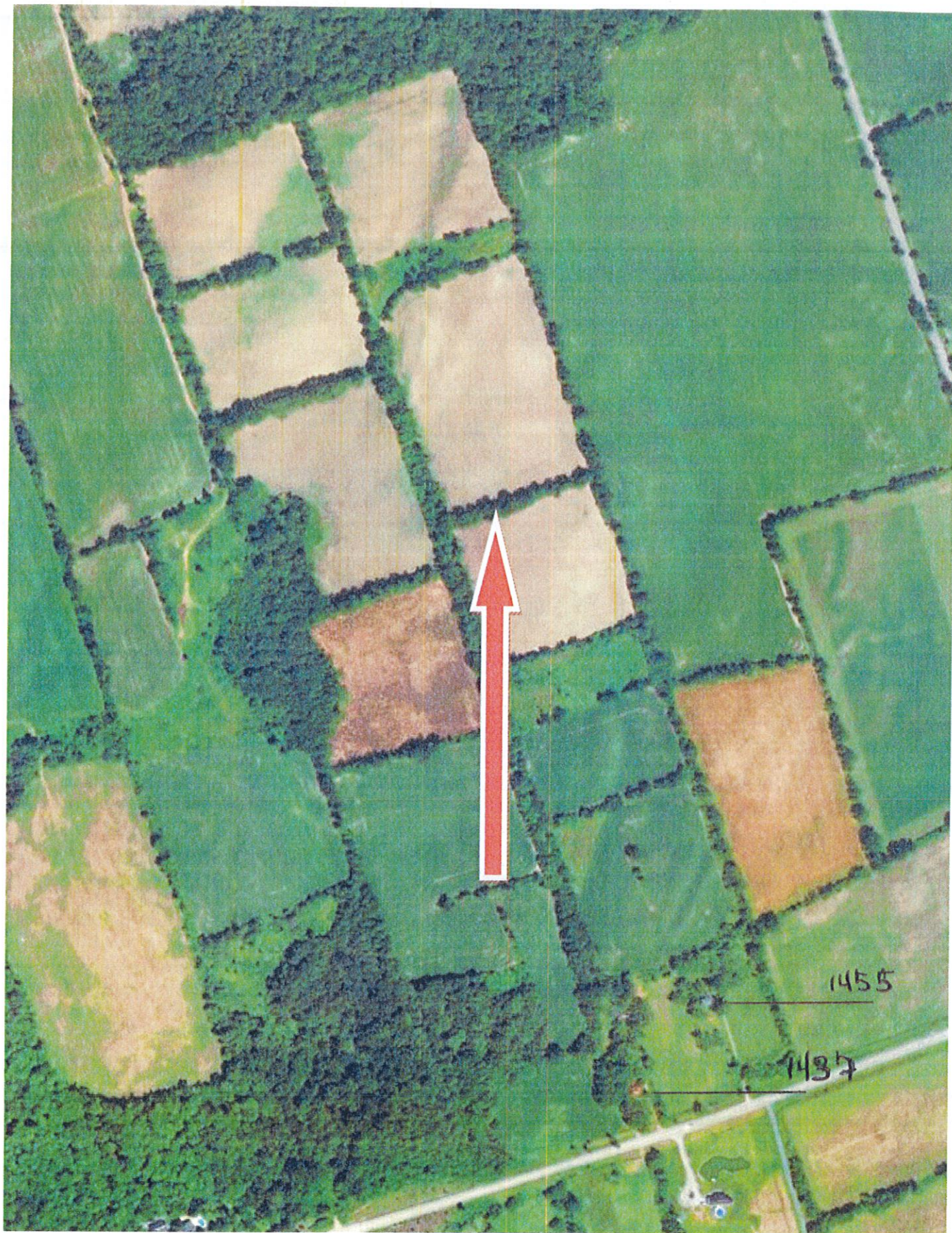
SOUTH
EAST
CORNER

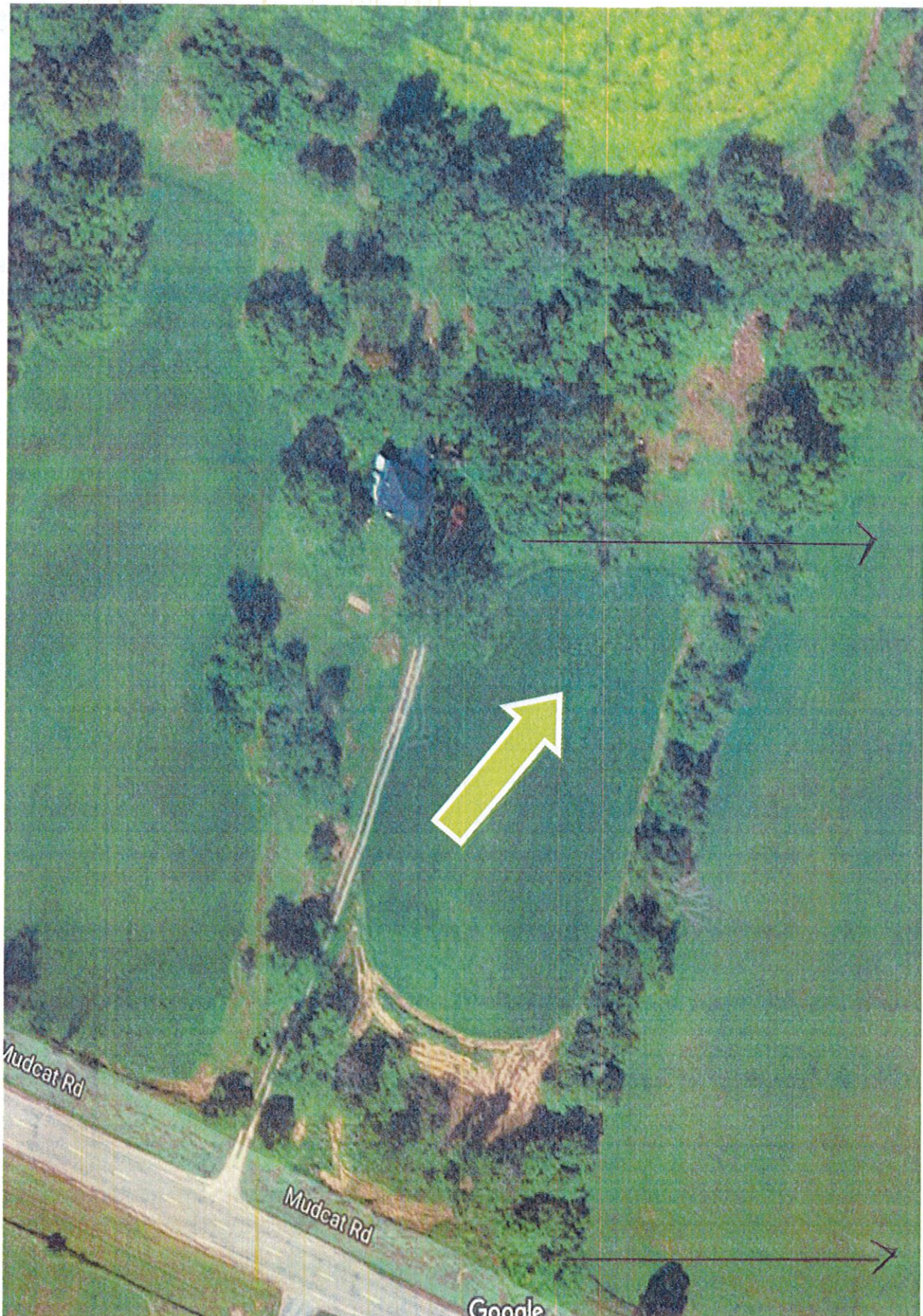
Mudcat Rd

Mudcat Rd

ENTRANCE
FOR 1427

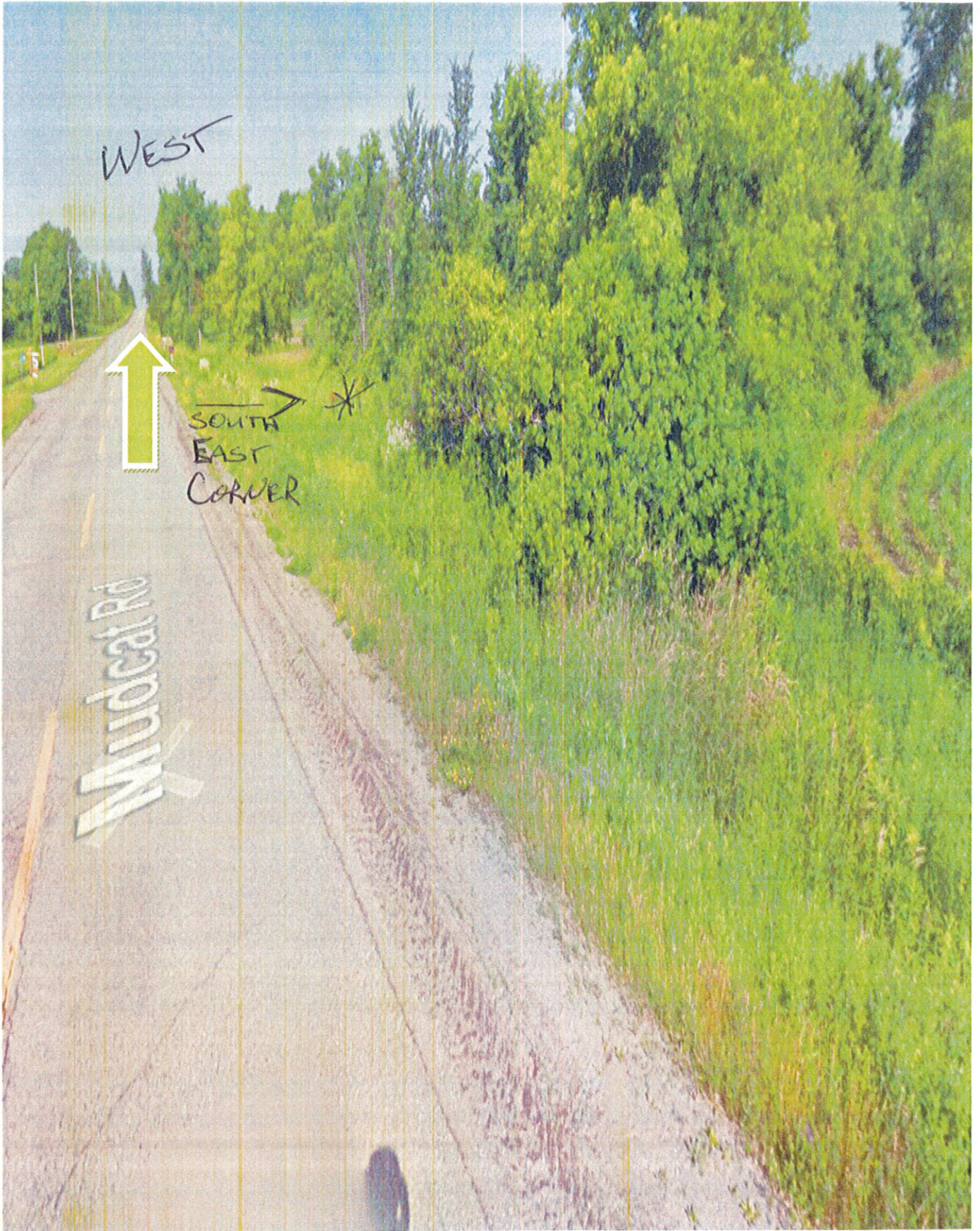
ENTRANCE
FOR 1455





HOUSE
LOCATED
@ 1455
MUDCAT RD

SOUTH/
EAST
CRAWLER.



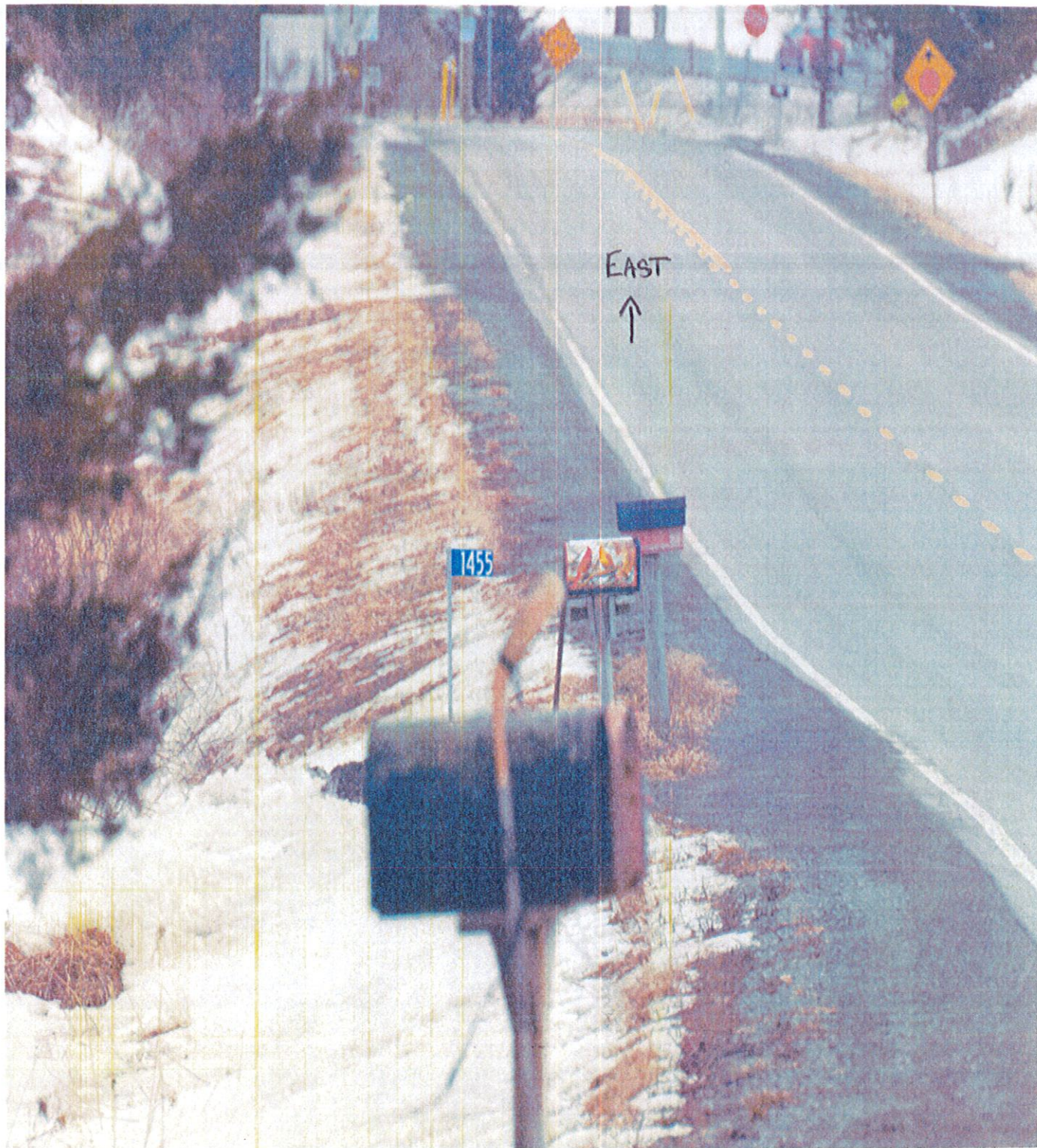


EAST

Mudcat Rd

WEST ENTRANCE.







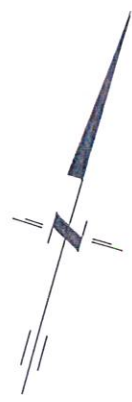
EAST
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1437



House @ 1437 MUDLAT RD.
TO BE ON BEVERED LAND.

SKETCH
 PART OF LOT 18
 CONCESSION 7
 TOWNSHIP OF THURLOW
 NOW IN THE CITY OF BELLEVILLE
 COUNTY OF HASTINGS
 METRIC SCALE 1 : 4500
 KEITH WATSON O.L.S.

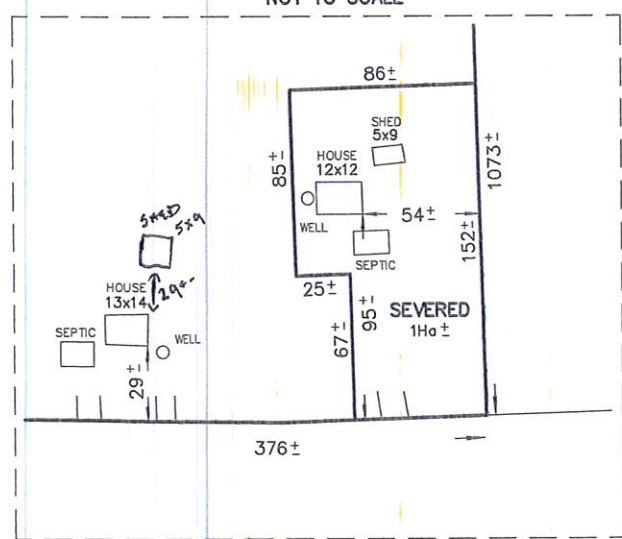


LOT 17
 CONCESSION

LOT 18

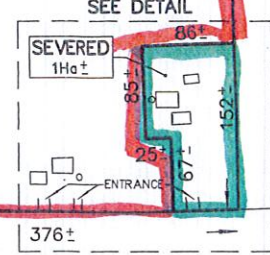
ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 18 AND 19

DETAIL
 NOT TO SCALE



RETAINED
 46Ha±

SEE DETAIL



MUDCAT ROAD

ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 6 AND 7

RECEIVED

MAR 26 2019

BELLEVILLE COMMITTEE
 OF ADJUSTMENT

218 CHURCH STREET
 BELLEVILLE, ONTARIO

WATSON
 LAND SURVEYORS Ltd.

KBN - 3C3
 (613) 962 - 9521

MARCH 21, 2109

PROJECT N^o 11209-H-19

Handwritten signatures: CWH and RMR

CONSENT APPLICATION REVIEW

City of Belleville

Date: April 16, 2019

File No.: B 8/19

Location: 1437 & 1455 Mudcat Road

Applicant: Clint Hamilton on behalf of Robert Rollins

Proposal: To sever an existing farm and dwelling municipally known as 1437 Mudcat Road, from the surplus dwelling located at 1455 Mudcat Road. In doing so, a severed parcel with a lot frontage of approximately 315 m and a lot area of approximately 46 ha would be created, with the retained lot having a frontage of approximately 61 m and an area of approximately 1 ha.

Severed Parcel:

frontage:	≈315 m
area:	≈46 ha
current use:	farm dwelling + out-buildings
proposed use:	no change

Retained Parcel:

frontage:	≈61 m
area:	≈1 ha
current use:	surplus dwelling + out-buildings
proposed use:	no change

Official Plan:

Current Designation: Agricultural Land Use

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

Consent Policies: New lots for agricultural purposes would be permitted provided they are of a size appropriate for the type of agricultural uses common in the area and are sufficiently large to maintain flexibility for future changes.

A consent to enable disposal of a surplus dwelling created through the consolidation of lands may be permitted, as would a technical severance to correct a lot boundary, provided that:

- inappropriate fragmentation of agricultural land is not promoted; and
- the Provincial minimum distance separation formulae has been met.

Provincial Policy Statement:

2.3.4.1 Lot creation in *prime agricultural areas* is discouraged and may only be permitted for:

- a. *agricultural uses*, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
- b. *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
- c. *a residence surplus to a farming operation* as a result of farm consolidation, provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective;

2.3.4.2 The creation of new residential lots in *prime agricultural areas* shall not be permitted, except in accordance with policy 2.3.4.1(c).

[Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.]

Zoning By-law 3014:

PA – Prime Agriculture Zone

Permitted Uses: 1. farm
2. single family dwelling

Minimum lot area: 25 ha

Minimum lot frontage: 100 m

Comments:


1. the property was originally two separate farms held in the same family. Over time the farms merged together, effectively consolidating into a single farm with two dwellings;
2. the merger of the farms was not discovered until the owner went to sell one of them;
3. while essentially technical in nature, the re-establishment of the former boundaries would create undersized farm properties that would not comply with current zoning or provincial policy;
4. as a result, the applicant wishes to sever the farmland and one of the existing farm dwellings and outbuildings while retaining the other dwelling along with a minimum of land around it in the south-east corner in accordance with provincial policy;
5. according to provincial policies, farm consolidation can be approved as long as the land in question is rezoned so that a new dwellings are prohibited on any vacant remnant farmland from which the existing dwelling is severed;
6. in this case, both properties would still be occupied with residential dwellings;
7. the Policy Section suggests adding a condition requiring the re-zoning of the severed parcel to prevent further subdivision of the land, and also to require the re-zoning of the retained parcel and surplus dwelling to Rural Residential in order to comply with lot area and frontage

- requirements;
8. in this way no additional dwellings can be constructed on the severed or retained parcels thereby preventing any additional residential development or the creation of future residential parcels;
 9. Municipal policy is to acquire land for a road widening if the road on which the subject lands front does not meet the standard right of way width requirements of the specific road classification (i.e., collector roads);
 10. Staff notes that the proposed severed parcel fronts on a portion of Mudcat Road where a hill is present, and that care should be taken when constructing any new driveways to avoid sight line issues;
 11. the separation of the existing farm dwelling and surrounding lands from a surplus dwelling in the south-west corner represents appropriate development in a manner consistent with the City's Official Plan and 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 Clint Hamilton on behalf of Robert Rollins to sever the existing farm and dwelling house, municipally known as 1437 Mudcat Road, from the surplus dwelling at 1455 Mudcat Road. In doing so, a severed parcel with a lot frontage of approximately 315 m and a lot area of approximately 46 ha would be created, with the retained lot having a frontage of approximately 61 m and an area of approximately 1 ha, subject to the following conditions:

1. that both the severed and retained parcels are rezoned to an appropriate zone category that prohibits any future severances and reflects the use of the land;
2. 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 Mudcat Road to a width of 13 metres from the centreline of the road allowance;
3. the financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property to be satisfied;
4. the necessary deeds to be submitted in triplicate and Conditions 1 to 3 inclusive be fulfilled prior to the issuance of the Consent Certificate;
5. Conditions 1 to 4 inclusive to be fulfilled within one (1) year of the Committee's Decision.



Greg Pinchin
Manager of Approvals

MEMORANDUM

To: Greg Pinchin
Manager, Approvals Section

From: Jason Pettit
Development Technologist

Date: April 9, 2019

Application No. B8/19

Regarding: Committee of Adjustment Application for Consent B8/19
1437 & 1455 Mudcat Road
OWNER: Robert Rollins

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

We have no objection to this consent; however the applicant shall be advised of the following in relation to this application:

1. The applicant shall be advised that Mudcat Road is designated as a collector road and requires 26 metres or 85 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 85 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. The new lots must have their own well and septic
4. Portions of the severed parcel appear to front Mudcat Road where a hill is present. Care should be taken when constructing any driveways onto Mudcat Road to avoid sight line issues.



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 April 25, 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 Ray & Jean O'Neill.

The subject property is municipally known as 4807 Old Hwy#2, and is zoned PA – Prime Agriculture. The applicant wishes to sever an existing dwelling in the southwest corner of the property from the surrounding field, creating a residential parcel with approximately 45 m of frontage on Mitchell Road, and an area of approximately 4,047 m². The retained parcel is proposed to have a frontage of just over 150 m on Mitchell Road and an area of approximately 3.5 ha.

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, 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.

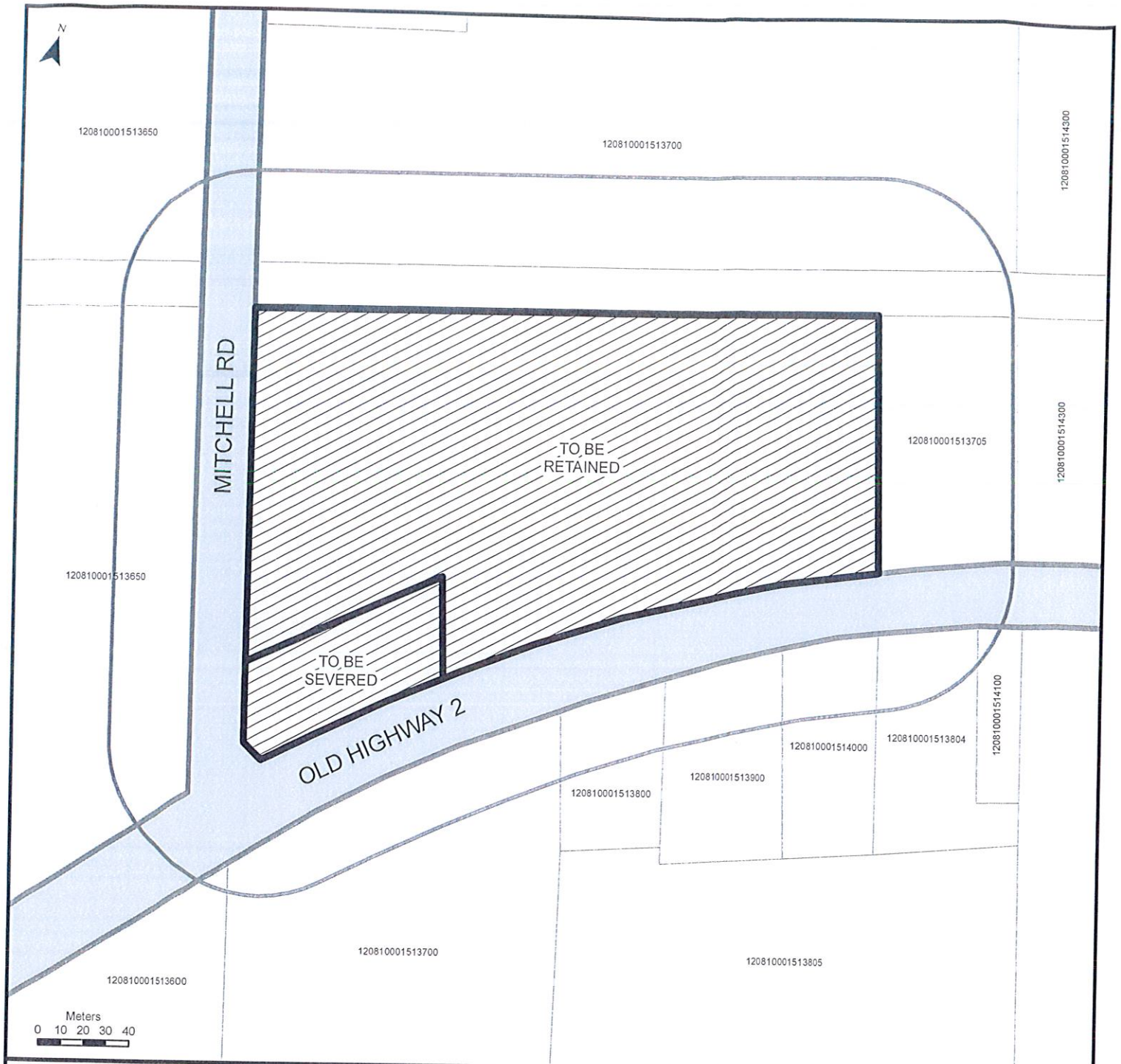
If a person or public body that files an appeal of a decision of the City of Belleville Committee of Adjustment in respect of the proposed consent does not make a written submission to the City of Belleville Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning 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 4th day of April, 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



APPLICATION NO:

B 9/19

LOCATION: 4807 OLD HWY 2
120810001513700



Subject Property



Notification Area



CITY OF BELLEVILLE

ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT

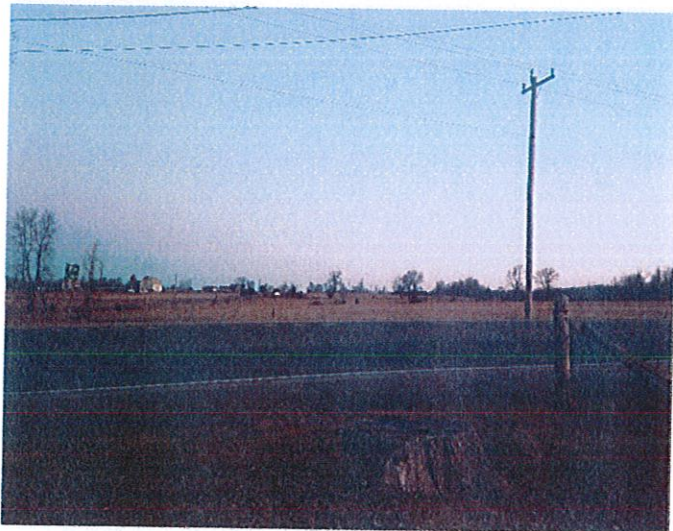
Looking West



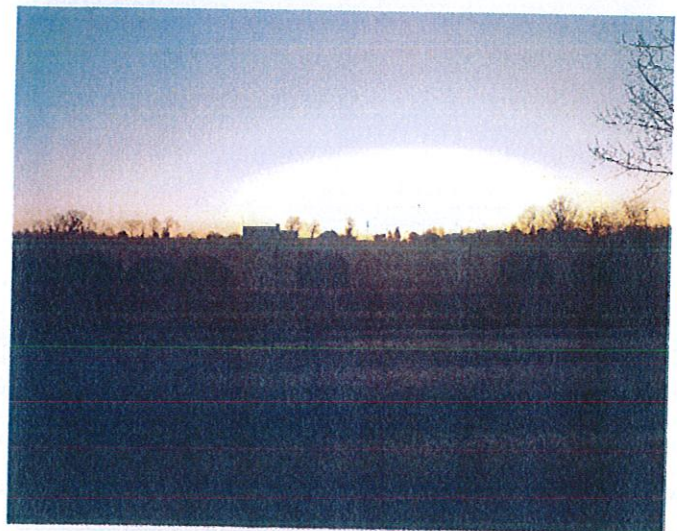
Looking South



Looking North



Looking East



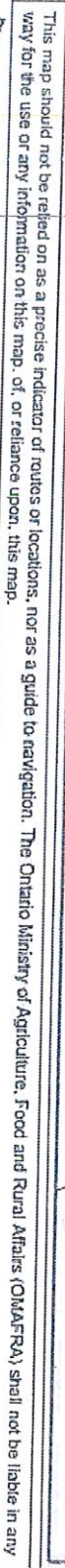
RECEIVED

MAR 27 2019

BELLEVILLE COMMITTEE
OF ADJUSTMENT

RECEIVED

BELLEVILLE COMMITTEE
OF ADJUSTMENT



Map Center: 44.16218 N, -77.27953 W

<input checked="" type="checkbox"/>	seeded (mixture drilling)	3.5 m ² (10 acres 1/2)
<input type="checkbox"/>	relined (agriculture)	1 acre 1/2

Detail of Residential Lot

← Malden Road

Extent of Existing Residential Yard

Existing well

Extent of Existing Residential yard

Existing Driveway / Entrance

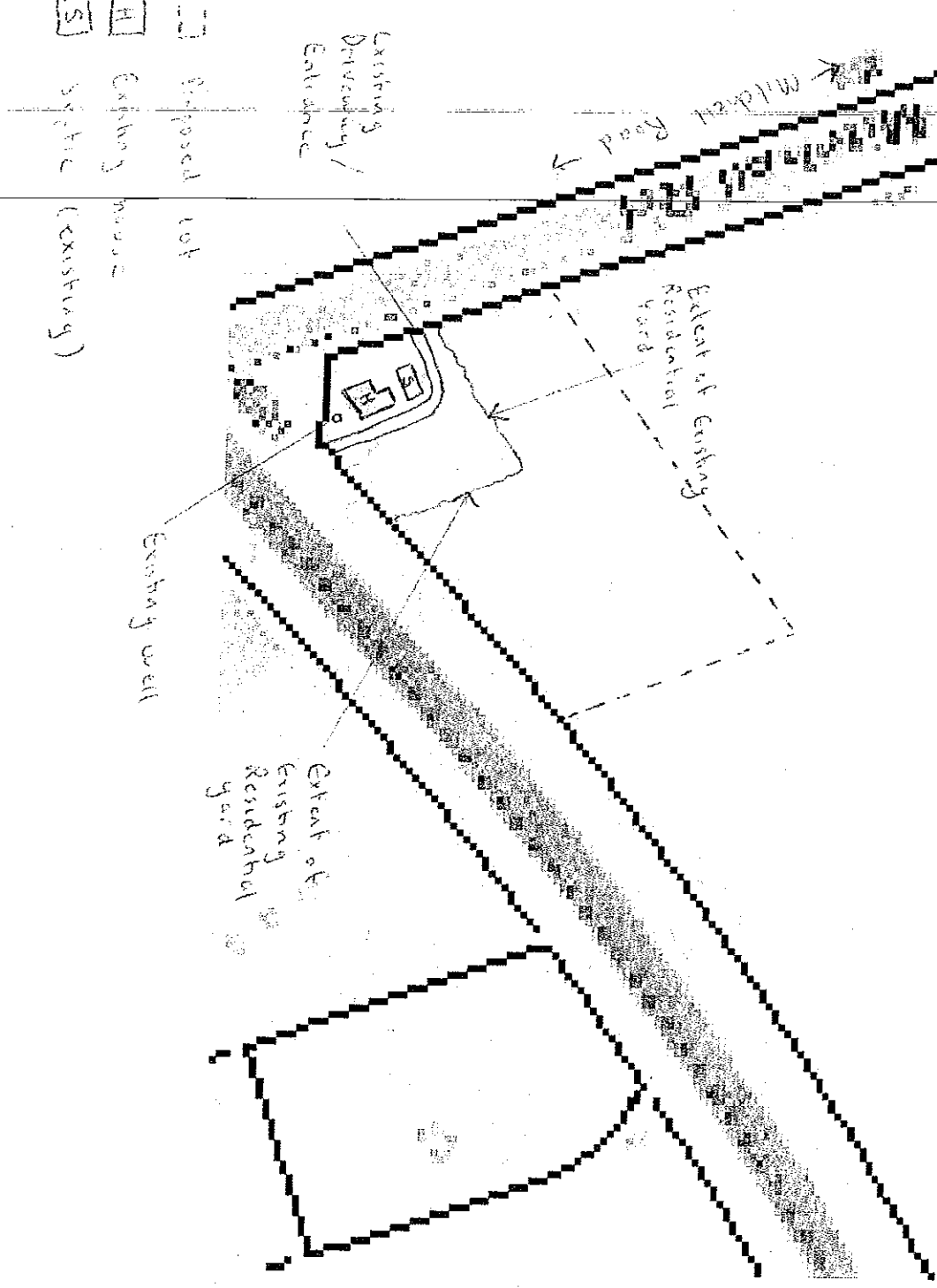


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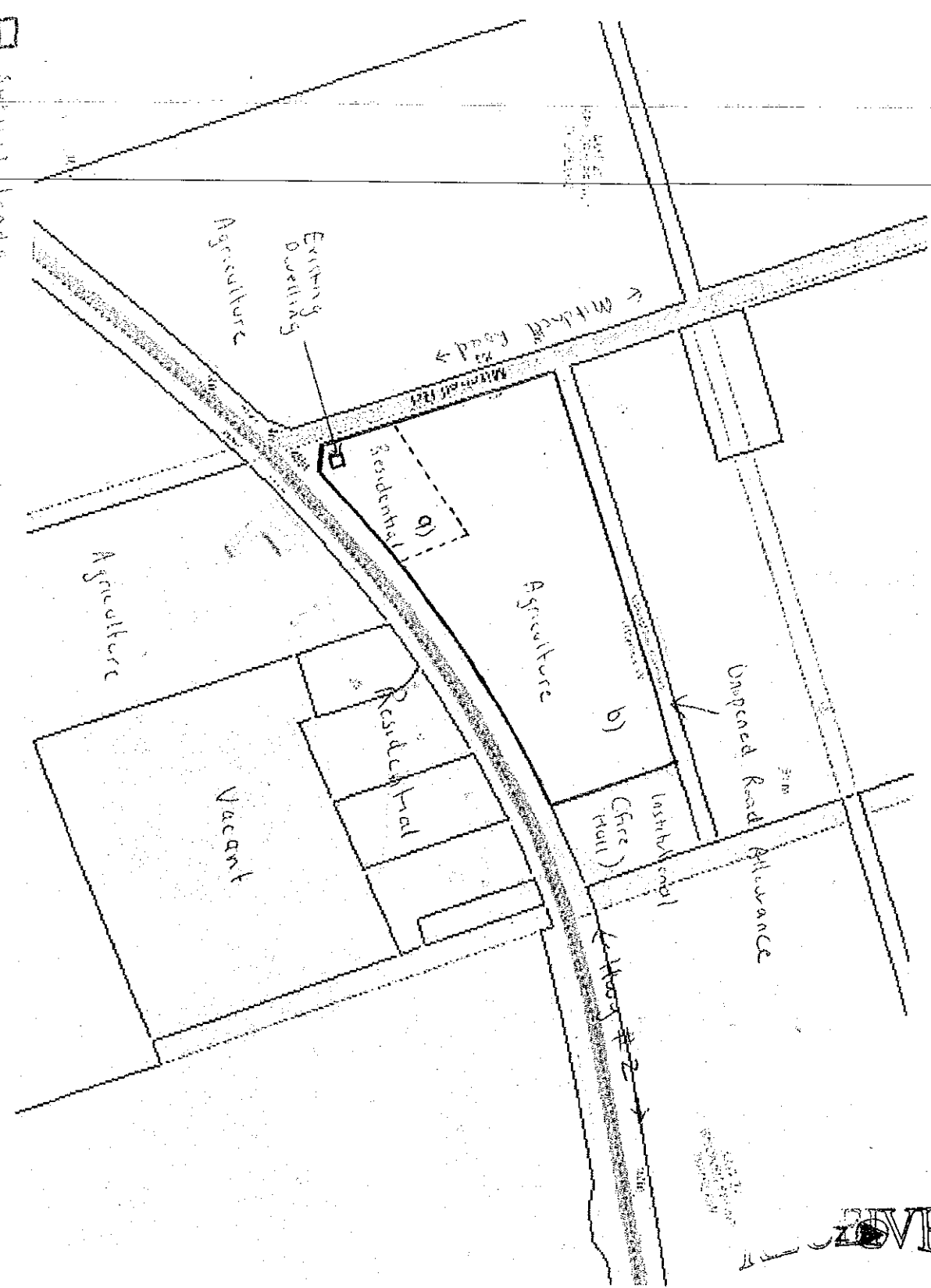
MAY 27 2019

BELLEVILLE COMMITTEE
ZONING ADJUSTMENT

- ☐ Proposed lot
- ☐ Existing house
- ☐ Septic (existing)



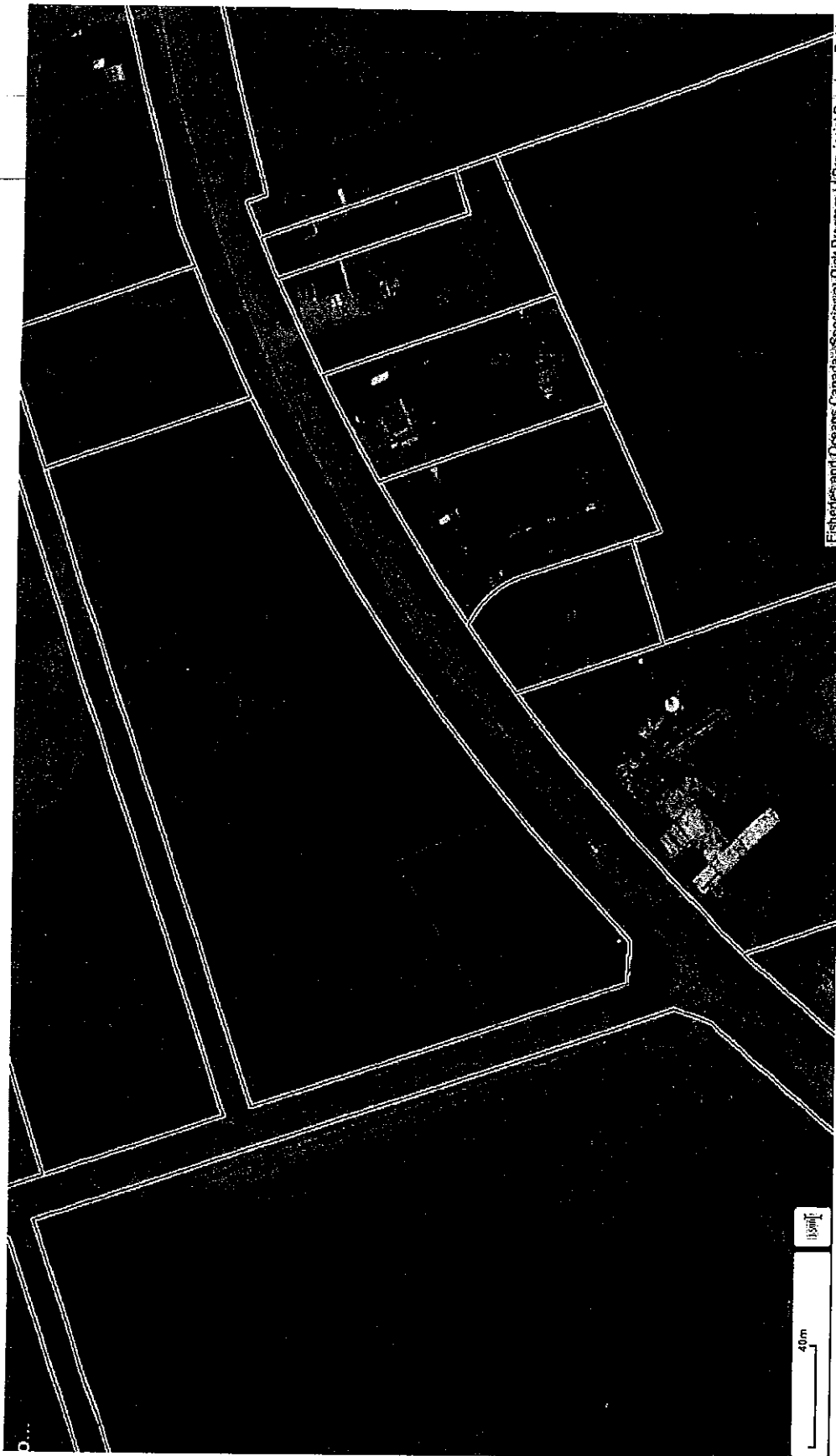
Zoning Amendment (condition of surplus dwelling consent)



- ☐ Subject lands
- ☐ Partial zoning
- a) Rural Residential
- b) Agriculture - exception

APPROVED

MAR 27 2019



RECEIVED

MAR 27 2019

OFFICE

CONSENT APPLICATION REVIEW

City of Belleville

Date: April 17, 2019

File No.: B 9/19

Location: 4807 Old Highway 2

Applicant: Ray & Jean O'Neill

Proposal: To sever the subject lands to create a new rural residential building lot on which is located an existing dwelling, with a lot area of approximately 0.4 hectares and a lot frontage of 45 metres on the east side of Mitchell Road just north of Old Highway 2.

Retained Parcel:

frontage:	greater than 150 metres
area:	approximately 3.5 hectares
current use:	farm land
proposed use:	no change

Severed Parcel:

frontage:	45 metres
area:	0.4 hectare
current use:	single detached dwelling
proposed use:	no change

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

Minimum lot area: 0.4 hectares (RR Rural Residential Zone)
25 hectares (non-residential)

Minimum lot frontage: 45 metres (RR Rural Residential Zone)
100 metres (non-residential)

Comments:

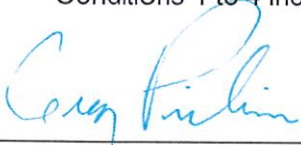
1. policies in the Official Plan permit the severance of up to two residential lots from the subject lands; there is no record of previous residential severances since 1998;
2. the municipality has acquired land and constructed a new fire hall at the east end of the property;
3. the proposed severance allows for the creation of a new residential lot to separate an existing residence that is surplus to a farming operation;
4. the severed lot would meet the residential lot area and lot frontage requirements of the RR Zone, and would require re-zoning as a condition of severance;

5. the retained parcel is smaller than required under the PA or RU zone provisions for farm use, and would also need to be re-zoned to recognize this deficiency;
6. the land would originally have been grandfathered in for farm use due to the provisions of Section 4.12 of the Thurlow Zoning By-Law;
7. the reduction in lot area from approximately 3.9 hectares to 3.5 hectares by the removal of the surplus dwelling is seen as minor, and could be addressed through a requirement to amend the zoning by-law for that purpose, since the severed parcel also needs to be re-zoned;
8. the applicant has identified an agricultural operation both on the subject land and within 500 m of the subject land; it is noted that there are no other farm buildings on the subject property; further the applicant notes that MDS guideline #9 specifies MDS is not required for lot creation for a residence surplus to a farming operation, nor for the remnant parcel nor associated re-zonings;
9. Municipal policy is to acquire land for a road widening if the road on which the subject lands front does not meet the standard right of way width requirements of the specific road classification (i.e., collector road – Mitchell Road, arterial road – Old Highway 2).

Conclusion:

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by Rah & Jean O'Neill to sever the subject lands to create a new residential lot on which is located an existing surplus farm dwelling, with a lot area of approximately 0.4 hectares and a lot frontage of approximately 45 metres 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 applicant deeding (conveying) to the City free of encumbrance a strip of land across the frontages of the severed and retained parcels to widen Old Highway 2 to a width of 15 metres from the centreline of the road allowance, and Mitchell Road to a width of 13 metres from the centerline of the road allowance;
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;



Greg Pinchin
Manager of Approvals

MEMORANDUM

To: Greg Pinchin
Manager, Approvals Section

From: Jason Pettit
Development Technologist

Date: April 9, 2019

Application No. B9/19

Regarding: Committee of Adjustment Application for Consent B9/19
4807 Old Highway #2
OWNER: Ray & Jean O'Neill

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 85 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 85 feet along both the severed and retained portions of the property.
2. The applicant shall be advised that Old Highway #2 is designated as an arterial road and requires 30 metres or 100 feet as defined by the Official Plan in regards to right-of-way width. In the event the width is deficient the Applicant shall be required to deed, gratuitously to the City, road widening that is half of the difference between the existing road allowance and 30 metres or 100 feet along both the severed and retained portions of the property.
3. Any existing drains on the retained or severed portions are not to be removed, altered or relocated without the consent of the City.



Jason Pettit

QUINTE CONSERVATION - PLANNING ACT REVIEW

QC File No. PL0073-2019

Municipality:	City of Belleville		
Owner:	Ray and Jean O'Neill		
Location:	4807 Old Highway 2	Part Lot 26, Concession Broken Front	Thurlow
Roll #:	1208-100-015-13700-00000		
Application Description:	Consent Application File No. B9/19	Sever a one acre rural parcel with an existing dwelling and retain approximately 10 acres of agricultural lands located at the north east corner of Old Highway 2 and Mitchell Road	
Regulated Feature:	None		
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>As there are no apparent flood hazards on the subject lands, staff are satisfied that the application as presented is consistent with section 3.1 of the PPS.</u></p> <p><u>Ontario Regulation #319/09 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)</u></p> <p>The subject lands do not lie within an area that is regulated by Quinte Conservation. The owners will not require a permit prior to development (construction/ filling/ excavation/ site grading) from this office.</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 such as; Provincially significant wetlands, significant woodlands and significant areas of natural and scientific interest. <u>Staff are satisfied that the application as presented is consistent with the natural heritage policies of the Provincial Policy Statement.</u></p>		
Final Comments:	Quinte Conservation has no objection to the application as presented.		

Sam Carney

Sam Carney
Planning and Regulations Technician

April 3, 2019

Date

MINOR VARIANCE APPLICATION REVIEW
City of Belleville

Date: **April 17, 2019**

File No.: **A 16/18**

Location: **235 Dundas Street West**

Owner: **Jennifer Harris, Minds on Childcare**

Proposal: To increase the number of child care spaces in the existing day nursery by 17, bringing the total to 41, where the by-law currently limits day nurseries in residential zones to 24 children.

Official Plan:

Current Designation: Residential Land Use

Permitted Uses: a range of residential land uses

Zoning By-law 10245:

Current Zoning: R1 – Residential First Density

Permitted Uses:

1. a single family dwelling;
2. a day nursery;
3. a public and/or private school;
4. a church;
5. a residential care facility.

Proposed Use: a day nursery with up to 41 children instead of the currently permitted 24 children.

Comments:

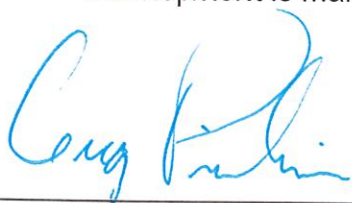
1. the subject property is currently used for a day nursery, though it was originally a residential dwelling;
2. the R1 zone permits a day nursery subject to meeting various requirements of the by-law including lot area and frontage, outdoor play space, and separation distances;
3. one of the limitations on day nurseries in residential zones is that zoning allows a maximum enrolment of 24 children at any one time;
4. the by-law requires off-street parking in the amount of 1 space per 12 children;
5. the Ministry of Education licenses day nurseries, and the applicant advises that the facility could accommodate an additional 17 spaces should relief be granted from the zoning by-law limit of 24;
6. staff visited the site, and note that the front yard parking area has been expanded with gravel; the applicant advises that this was done as a temporary measure to address safety after a car accident occurred on the front lawn, and that they intend to adjust and hard-surface the parking area in

- future;
7. staff notes that the zoning by-law limits front yard parking in residential zones to only covering up to 50% of the front yard, the applicant has calculated the proposed parking area layout as covering 49.6% of the front yard;
 8. the matter was considered by the Committee of Adjustment in June, 2018, and an excerpt from the minutes of that meeting is included as Attachment "A" to this review for the benefit of new members;
 9. extensive comments were received from neighbours both prior to, and at the June meeting primarily relating to traffic and safety with the proposed increase in enrolment, and whether the proposed increase was suitable for a residential area;
 10. the matter was deferred "pending the receipt of more information regarding traffic and the potential for a reduced speed limit in the area of 235 Dundas Street West." It has since been confirmed that the Traffic Advisory Committee does not recommend a change to the speed limit in that area, and Belleville Police are satisfied that a Community Safety Zone is not warranted;
 11. as a result of this information, Staff encouraged the applicant to prepare a more detailed layout to show how the driveway and parking area for the site could be modified to enhance safety for parking, ingress and egress, and to comply with the parking area dimensions as set out in the zoning by-law;
 12. the increase from 24 to 41 children would require a total of 4 parking spaces in order to comply with the requirements of the zoning by-law for a day nursery, and the applicant shows that there are proposed to be 12 spaces, in addition to the 7.3 m wide driveway/aisle for access to and from the site in the front yard;
 13. in the event of approval, staff recommends that the requested variance be made conditional on the applicant receiving site plan approval for the driveway and parking area to ensure that it meets the necessary technical requirements so as not to impact on neighbouring properties;
 14. ultimately the only relief being sought is to increase the maximum enrolment in a day nursery within the R1 – Residential First Density zone from 24 children to 41 children; the Committee needs to determine whether or not this meets the four tests of a minor variance as required under the Planning Act, namely:
 - Is the application minor?
 - Is the application desirable for the appropriate development of the lands in question?
 - Does the application conform to the general intent of the Zoning Bylaw?
 - Does the application conform to the general intent of the Official Plan?

Conclusion:

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by Jennifer Harris, Minds on Childcare to allow an increase in the number of child care spaces within the existing day nursery from 24 to 41, subject to:

- The expanded parking area receiving site plan approval, which may include requirements for stamped engineering drawings and a stormwater management brief describing how the development is maintaining pre-development runoff rates in post-development conditions.



Greg Pinchin
Manager of Approvals

Attachment "A"

Excerpt from the Minutes of the June 21, 2018 Committee of Adjustment meeting

"Application A 16/18 Application for Minor Variance
235 Dundas Street West
Owner: Jennifer Harris, MINDS on Childcare
Agent: Kaitlin Vallis, MINDS on Childcare

Ms. Harris was in attendance to represent the application. She noted that the existing facility could handle additional child care spaces in accordance with Ministry of Education guidelines, and that the increased enrolment could be used to fund additional staff such as a cook.

Ms. Martha Grant of 242 Dundas Street West expressed support for additional child care spaces in the community. She recommended that the subject property should have safer access, as there was an accident in the past, and that an increase in enrolment would create that many more cars having to come and go from the property. Ms. Grant advised that she had been assured the driveway would be redesigned, but that there had been no further consultation as of yet. She further recommended a reduction in the speed limit on Dundas Street West as there is also another home daycare nearby, and school buses had been stopping to let children on and off before and after school.

Mr. Beer commented that he had visited the site and felt that the yard and the exterior of the house was a mess and needed maintenance, and that he was also concerned with traffic. Ms. Harris noted that her husband will be taking stuff to the dump, and will further clean up the site.

Mr. Plewes noted that there are a number of residents in the area. He asked about 'The Bees Retirement Home' across the street. Staff noted that they are not familiar with that operation. Mr. Plewes noted potential effects of increased ingress and egress traffic from the site and asked about opportunities to access the property from behind off of Sidney Street. Staff noted that there is a privately owned and maintained right-of-way by which the rear of the property may be accessed along a gravel driveway and across a neighbour's lawn, but that it would not be suitable for commercial traffic.

Ms. Harris noted that their main interest is in increasing infant and preschool spaces, and that they do not plan to continue with before and after school children, adding that will eliminate school bus stopping at their facility. Mr. Plewes asked staff about parking requirements. The Manager of Approvals advised that the zoning by-law requires 1 parking space per 12 children who are enrolled. He noted that this would require 2 spaces at the current level of enrolment, and 4 spaces if the variance is granted and the number is increased to 41.

Paul & Lyla Treverton of 6 Sidney Street noted that they maintain a private driveway across 8 and 12 Sidney Street in order to access their property, and that the property at 235 Dundas also has a right-of-way across their yard to access the rear of that property. They expressed concern about its increased usage with trucks and equipment tearing it up to access the rear yard of the subject property. They expressed further concern that it might someday be used as a driveway for the day nursery. Concern was also expressed about the fence along the railway line to the south, and they suggested that a child could get out through the gate or climb the fence and end up on the railway.

Ms. Harris explained that equipment had been brought in to remove the rear deck and fix up the yard. She added that the Ministry of Education checks and approves the fencing in accordance with their licensing.

Ms. Pat Tretina of 221 Dundas Street West suggested that there would likely not be a huge impact aside from traffic. She noted that she and the former City Planner developed the current locational criteria for day nurseries in residential zones in the 1980s. The thinking at the time was that 24 children, and approximately 5 staff within a residential zone could be seen as appropriate and not too disruptive. She suggested that the proposed increase to almost 50 was significant.

Mr. Palmer of 225 Dundas Street West noted his support for day nurseries in general, but his opposition to this particular proposal due to the volume of traffic on Dundas Street. He suggested that the limit of 24 children in a residential area was appropriate, and that larger facilities should be directed to lands zoned for commercial use.

Mr. Alexander asked when a building becomes commercial. Mr. Ted Marecak, Chief Building Official was in attendance and explained that the current use is commercial under the Ontario Building Code. He noted that the original day nursery as it exists now was done with building permits, and that no further approval would be needed from building to simply change the enrolment numbers.

Moved by Mr. Beer

THAT the Decision DENYING Application A 16/18 be incorporated and adopted as part of the Minutes of the Meeting.

There was no seconder for Mr. Beer's Motion.

Mr. Alexander expressed his concern with the increase in traffic to and from the site, and the existing volume of traffic on Dundas Street West. Mr. Beer suggested the possibility of only allowing right turns into and out of the facility.

Correspondence

Comments from the Manager of Approvals, Development Technologist and a letter from Curry & Martha Grant, neighbor at 242 Dundas Street West is enclosed. No other responses were received.

DECISION

Moved by Mr. Alexander
Seconded by Mr. Plewes

THAT the Decision Approving Application A 16/18 be DEFERRED pending the receipt of more information regarding traffic and the potential for a reduced speed limit in the area of 235 Dundas Street West.

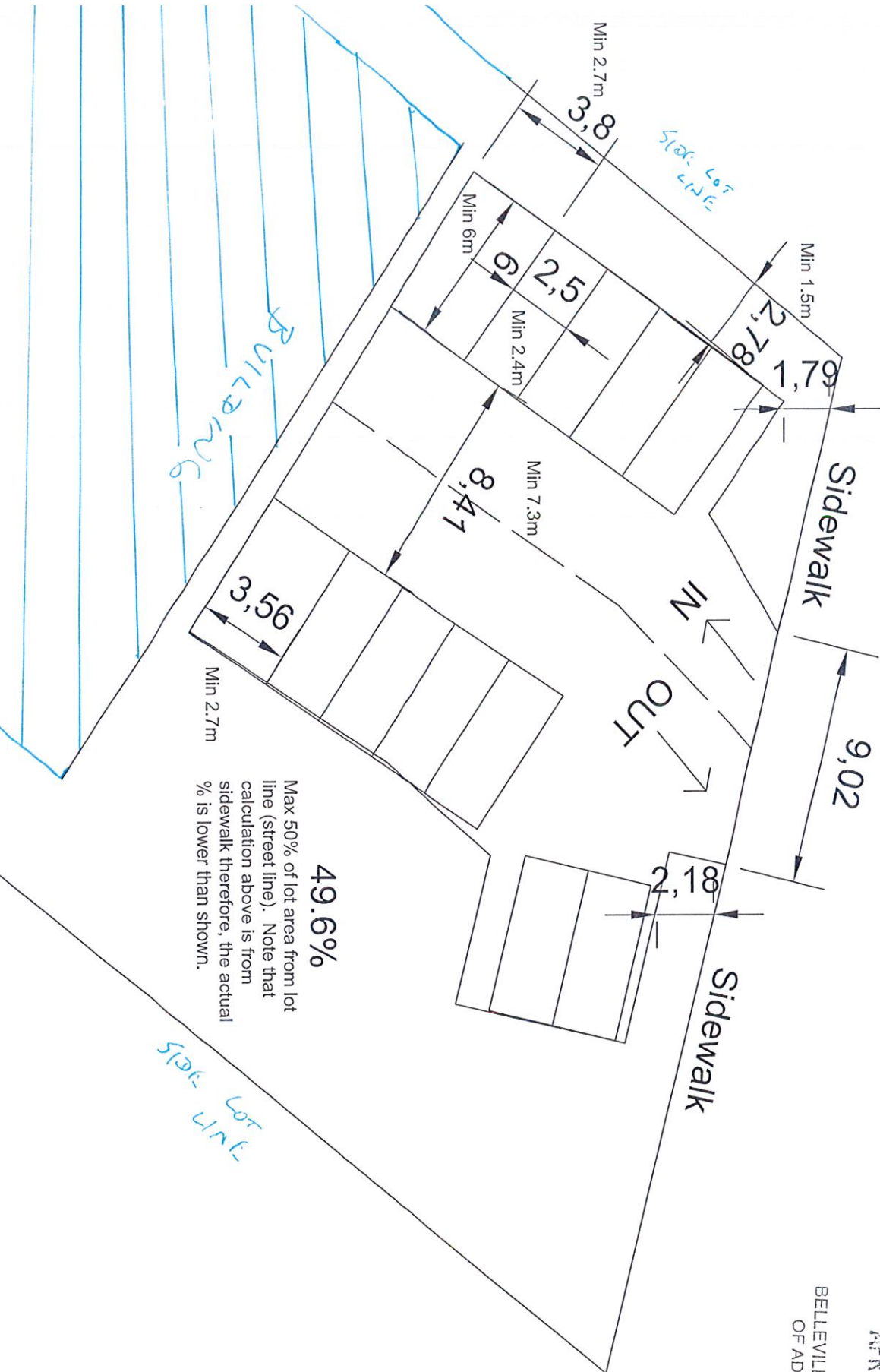
- CARRIED -"

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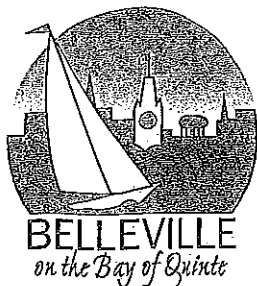
BELLEVILLE COMMITTEE
OF ADJUSTMENT

DUNDAS ST W



49.6%

Max 50% of lot area from lot line (street line). Note that calculation above is from sidewalk therefore, the actual % is lower than shown.



City of Belleville

Corporate Services Department

1st Floor, City Hall
Fax No. 613-967-3206

August 20, 2018

Curry & Martha Grant
242 Dundas Street West
Belleville, ON K8P 1A8

Dear Mr. & Mrs. Grant:

**Re: Item 6.2 Traffic Advisory Committee Meeting July 19, 2018
Request for Community Safety Zone & Speed Limit Change-Dundas
Street West**

Please be advised that the subject matter was before the Traffic Advisory Committee at their meeting on July 19, 2018.

After considering the request, it is the consensus of the Committee that Dundas Street West is a major arterial road and to reduce the speed limit is not appropriate in this area. The Committee is requesting that staff, in consultation with other municipalities, devise and/or identify a tool to assist the Committee when evaluating areas for future consideration as a Community Safety Zone.

I trust this is satisfactory and thank you for providing your concerns to the City.

Yours truly,

Christine Stewart, CMO
Deputy City Clerk
on Behalf of the Traffic Advisory Committee

RECEIVED

AUG 28 2018

CS/nc

BELLEVILLE COMMITTEE
OF ADJUSTMENT

A16/18

cc: Director of Engineering and Development Services
General Manager, Transportation & Operations
Inspector S. Meeks, Belleville Police Service
Constable B. Stitt, Belleville Police Service
Roads/Traffic Supervisor, Transportation & Operations
Senior Project Manager, Engineering and Development Services
Committee of Adjustment

Keays, Christina

From: Pinchin, Greg
Sent: Monday, June 18, 2018 9:13 AM
To: Keays, Christina
Subject: FW: Minor Variance Application
Attachments: Daycare letter.docx; Daycare letter.rtf

Hi Christina, for circulation/distribution at the meeting.
Thanks,
Greg.

From: mfortin1@bell.net [<mailto:mfortin1@bell.net>]
Sent: Monday, June 18, 2018 8:40 AM
To: "gpinchin@city.belleville.on.ca"@invalid.domain
Cc: Marilyn Fortin; sidneystreet@sympatico.ca
Subject: Minor Variance Application

Good morning Mr. Pinchin,

Please accept this written representation in opposition to this application with our concerns as stated to you at City Hall on Wednesday June 13, 2018.

We will also represent ourselves at the Quinte Sports and Wellness Centre on June 21, 2018.

Thank you for taking the time to listen to our concerns.

Regards,

Marilyn Fortin
8 Sidney St.,
Belleville

June 15, 2018

File No.: A 16/18

Good afternoon Mr. Pinchin and committee members,

We, Paul and Lyla Treverton of 6 Sidney St. and Gilles and I, Marilyn Fortin of 8 Sidney St. Belleville would like to thank you for this opportunity to speak to two concerns that we have regarding this **Notice of Minor Variance Application**.

The road known as 6 & 8 Sidney St. that we reside on is on a Right of Way and offers Right of Way use to the applicants for this variance. Historically it has seldom been used by anyone other than those of us who live here.

Our first concern is that at some point in time the business owners of "Minds of Child Care" may want to use the Right of Way as the regular access for parents. It is a single lane of traffic. If the application for 17 more children is approved and they want to use this area as their access this would increase the usage at more than 20 times its current rate. This then becomes a congestion and safety concern for all of us.

We at 6 & 8 Sidney St. pay for the maintenance of this Right of Way with plowing in the winter and gravel resurfacing in the summer.

Paul and Lyla Treverton have lived at 6 Sidney St. for 32 years and the Right of Way crosses over what is their front yard and very close to their weeping bed septic area. The last two summers have seen many, many dump trucks full of soil and landscaping equipment use this Right of Way in to the daycare property and in the process they have torn up the gardens and the grass.

With this in mind, we are concerned about excessive use of this Right of Way area.

Our second concern is the fencing that is also at the south end of the property near the CP Railway tracks. We fear that a 4-year-old child can quickly and easily get out of the sight of a worker and scale the fence and possibly get hit by a train. We have already seen the children attempting to climb the fence. Since the trucks have been going in and out of the back the gate has not been properly secured and a child could now walk through. For the safety of the children, we would like to see the standard of fencing reviewed. If a child should get over the fence and get injured or killed, we live here.

Thank you again for this opportunity to express our concerns about the Notice of Minor Variance Application.

On behalf of a group of concerned citizens,

Marilyn Fortin

242 Dundas St. West
Belleville ON
K8P1A8
June 10, 2018

RECEIVED

JUN 13 2018

BELLEVILLE COMMITTEE
OF ADJUSTMENT

Greg Pinchin
Manager of Approvals,
City of Belleville
Committee of Adjustment
169 Front St.
Belleville ON
K8N2Y8

Dear Mr. Pinchin, Re: Application no: A 16/18

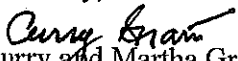
Thank you for informing us of the application for expansion of the day care facility Minds on Childcare at 235 Dundas St. West owned by Jennifer Harris and managed by Kaitlin (Katie) Vallis.

We fully support the expansion of the day care facility. I have discussed with Ms Harris the safety concerns of having an increased number of vehicles entering and leaving their parking lot, and we are satisfied they have plans to improve safety.

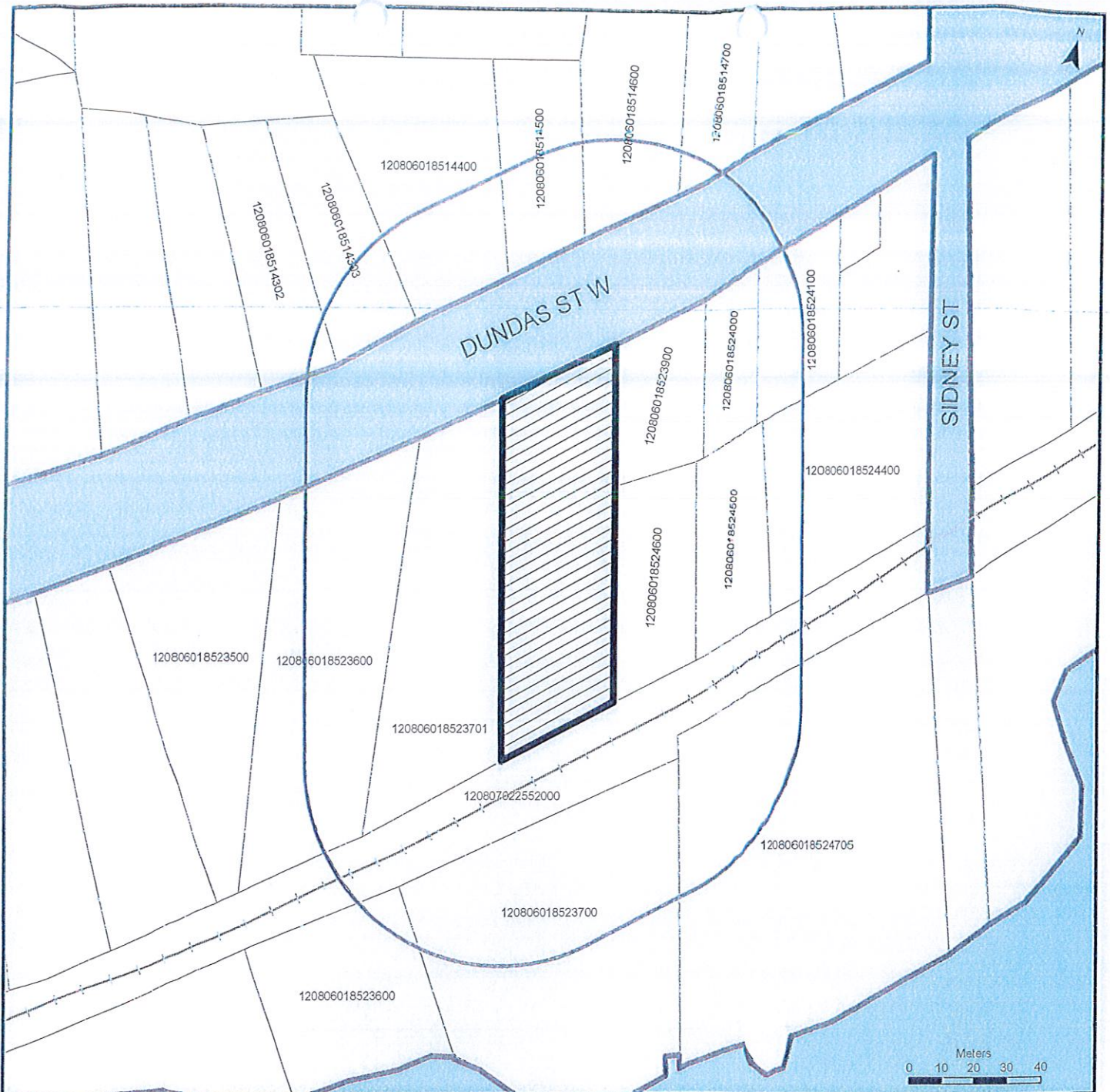
We will make a submission to the Traffic Advisory Committee supporting a reduction in the speed limit to 50 k.p.h. on Dundas St. from Sidney St. to the west end of the city.

We also support having a Community Safety Zone from Sidney St. to Palmer Road.

Sincerely,


Curry and Martha Grant





APPLICATION NO:

A 16/18

LOCATION: 235 DUNDAS ST W
120806018523800



Subject Property



Notification Area



CITY OF BELLEVILLE

ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT

CONSENT APPLICATION REVIEW – AMENDMENT TO CONDITIONS
City of Belleville

Date: March 11, 2019

File No.: B 7/19

Location: Highway 62, adjacent to 74 Sunningdale Drive

Applicant: Bryon Keene, Jewell Engineering on behalf of Reginald Barkema

Proposal: To amend the conditions of the approved severance to permit the severed parcel with an area of approximately 3.9 hectares to be added onto the severed parcel from Application B 6/19, instead of the lands to the south that front on Towncentre Drive.

Severed Parcel:

frontage:	nil
area:	approximately 3.9 hectares
current use:	vacant development land
proposed use:	no change

Retained Parcel:

frontage:	approximately 20.3 metres on Highway 62
area:	approximately 6.1 hectares
current use:	vacant development land
proposed use:	no change

Official Plan:

Current Designation: Commercial Land Use

Permitted Uses: a range of commercial development uses

Zoning By-law 3014:

Current Zoning: D – Development (C1 – Highway Commercial at access to Hwy 62)

Permitted Uses: farm; existing uses

Minimum Lot Frontage: 70 metres

Minimum Lot Area: 6 hectares

Comments:

1. This above-described severance was approved at the March 2019 meeting of the Committee of Adjustment. Due to the timing of land transfers, the applicant's solicitor has requested that condition (b) of the approval be amended to permit the severed parcel as a lot addition to the abutting property to the south-west that was approved as Severed Parcel A for application B 6/19 at the same meeting;
2. A revised sketch is included as Attachment 'A' to this review to illustrate the proposed change;
3. The request amounts to a desire to facilitate a more convenient land transfer process and should ultimately have minimal impact on the future development of the lands.

Conclusion:

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the request to amend condition (b) on decision B 7/19 as follows:

From:

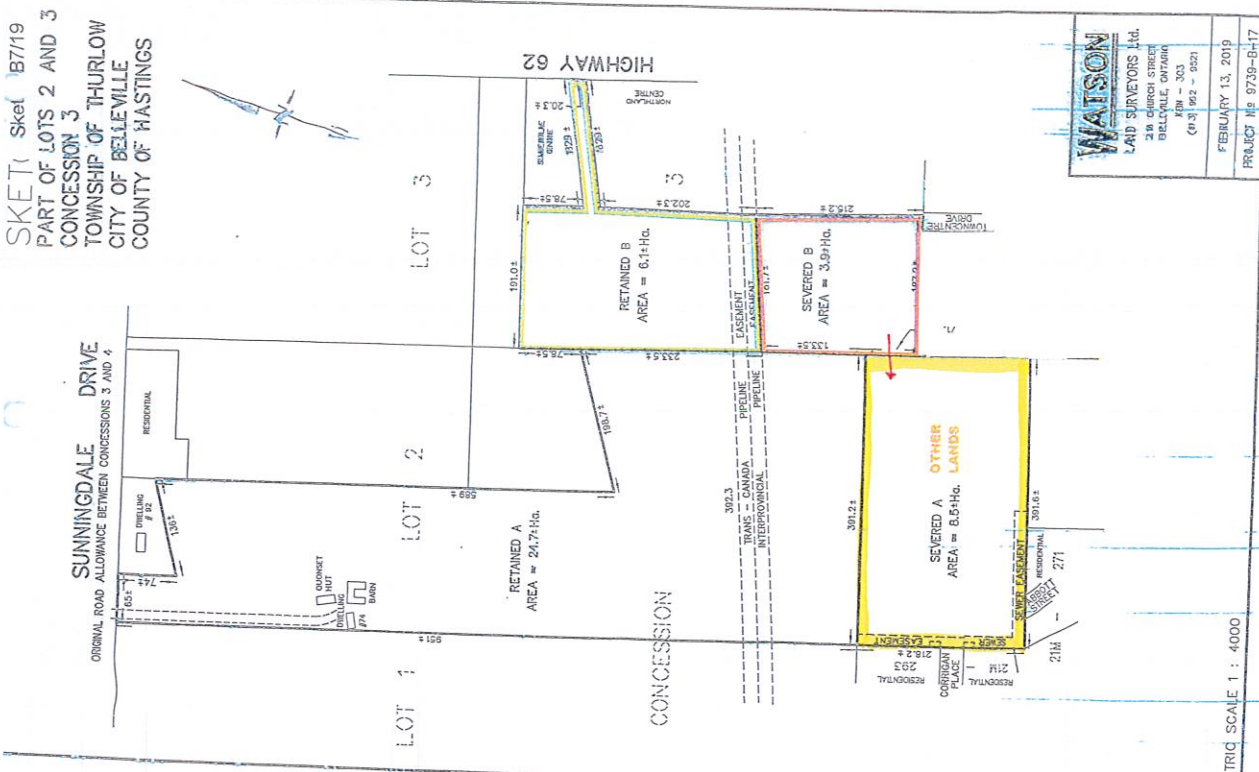
- (b) The severed parcel be deeded as a lot addition to the adjoining property to the south along Towncentre Drive, and that Subsection 50(3) and (5) of the Planning Act, as the case may be, applies to any subsequent conveyance of or transaction involving the parcels of land that are subject to this consent;

To:

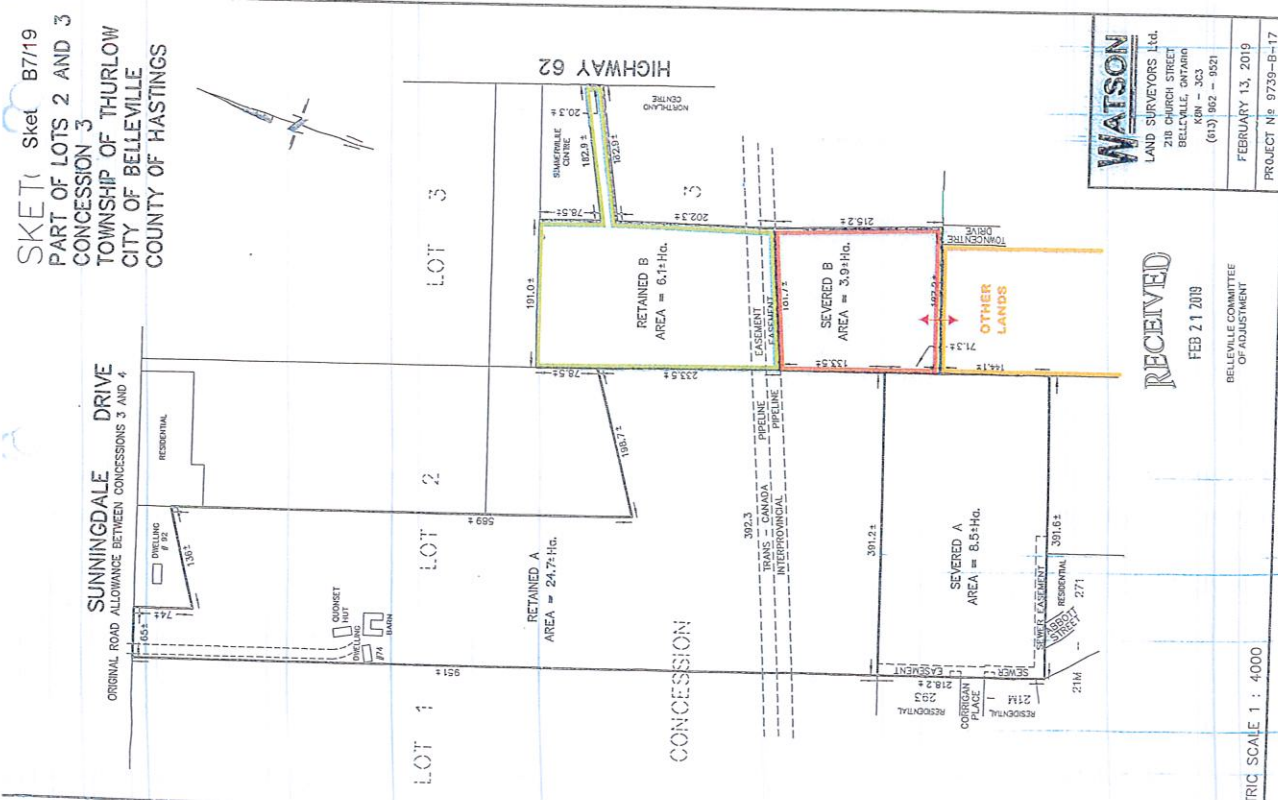
- (b) The severed parcel be deeded as a lot addition to the adjoining property to the south along Towncentre Drive OR to the adjoining property to the south-west that was approved as the Severed Parcel through Committee of Adjustment Application B 6/19, and that Subsection 50(3) and (5) of the Planning 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;



Greg Pinchin
Manager of Approvals



Proposed Change



Current Approval

Pinchin, Greg

From: Kirsten C.C. Musgrove <kmusgrove@owtlaw.com>
Sent: Tuesday, April 16, 2019 4:35 PM
To: Pinchin, Greg
Cc: Dustin V; Adrian Bax; Rolf Renz
Subject: Consent files B7/19 and B6/19

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Greg,

Following on our call today can you please add to the following request to the agenda for next Thursday's Land Division Committee meeting.

We request the condition (b) on consent file B7/19 be amended such that the severed lands are to be deeded as a lot addition to the adjoining property being the severed lands in consent file B6/19, 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.

Thank you for your assistance,

Kirsten



Kirsten C.C. Musgrove

O'Flynn Weese LLP | Barristers & Solicitors | 65 Bridge Street East, Belleville, Ontario K8N 1L8
T 613.966.5222 x 249 | F 613.966.8036 | kmusgrove@owtlaw.com | [Map and Directions](#) | www.owtlaw.com



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