

AGENDA
BELLEVILLE COMMITTEE OF ADJUSTMENT
MAY 23, 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 7/19 Application for Minor Variance
20 Hanna Court
Owner: Michael Visser, 2034904 Ontario Inc.

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.

b) Application A 8/19 Application for Minor Variance
135 MacDonald Avenue
Owner: Hastings and Prince Edward District School
Board

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 B 10/19 Application for Severance
194 B Harmony Road
Owner: Greta Cole
Agent: Cheryle Morrow

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, Manager of Policy Planning and Quinte Conservation is enclosed. No other responses were received.

d) Application B 11/19

Application for Severance
18 St. Paul Street
Owner: John Royle
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 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 April 25, 2019.

5. CORRESPONDENCE

6. OTHER BUSINESS

7. NEXT MEETING: Thursday June 20, 2019 at 3:30pm

8. ADJOURNMENT



AGENDA

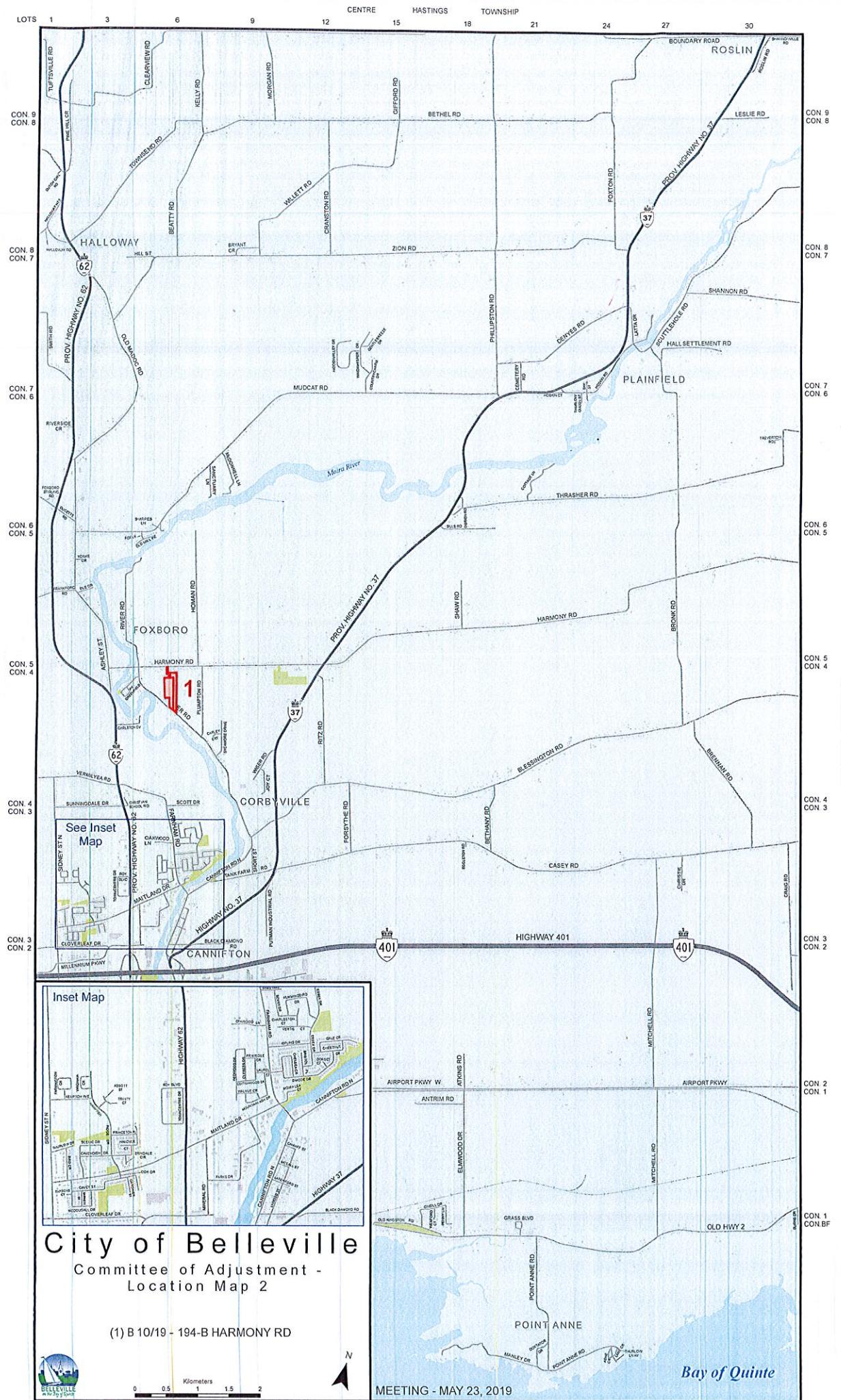
Location Map 1 (Urban Area)

(1) A 7/19 - 20 HANNA CT
(2) A 8/19 - 135 MACDONALD

(3) B 11/19 - 18 ST. PAUL ST

Location Map 2 (Rural Area)

(1) B 10/19 - 194-B HARMONY RD



**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 May 23, 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 Michael Visser, 2034904 Ontario Inc..

The subject property is 20 Hanna Court and is zoned M2-3 – General Industrial with Special Provisions. The property is developed with an industrial building, and the Owner wishes to use up to 15% of the existing gross floor area for a retail outlet, where current zoning restricts retail outlets to a maximum of 5% of the gross floor area of the building.

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 2nd day of May, 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

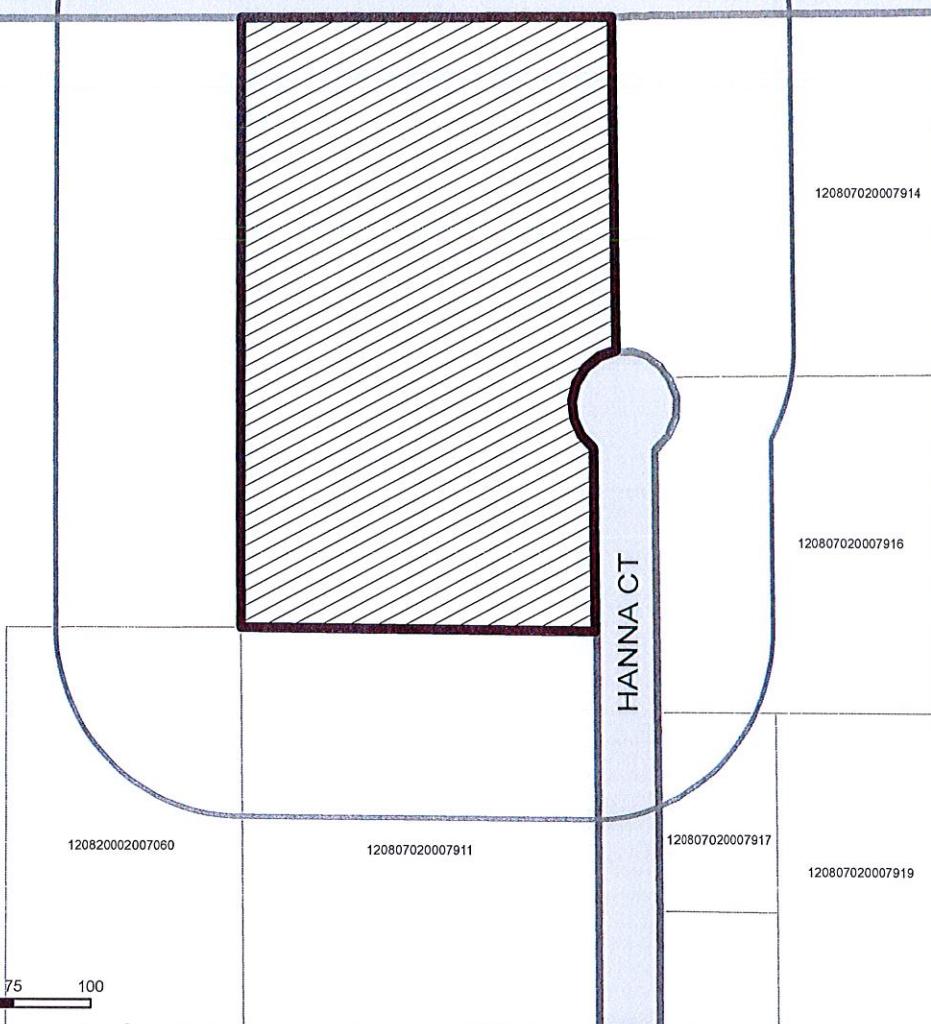
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BELLEVUE DR

HIGHWAY 401

120820002004472

120807020007914



0 25 50 75 100
Meters

APPLICATION NO:

A 7/19

LOCATION: 20 HANNA CT
120807020007912



Subject Property



Notification Area



CITY OF BELLEVILLE

ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT

MINOR VARIANCE APPLICATION REVIEW
City of Belleville

Date: **May 13, 2019**

File No.: **A 7/19**

Location: **20 Hanna Court**

Applicant: **Michael Visser, 2034904 Ontario Inc.**

Proposal: To use up to 15% of the gross floor area of the existing building on the property located at 20 Hanna Court, (approximately 350 m²) for retail space instead of the permitted 5% or 93m², whichever is lesser.

Official Plan:

Current Designation: Industrial Land Use

Permitted Uses: a broad range of industrial uses, and general commercial, convenience or service commercial uses may be established within areas designated Industrial land use to provide services to workers within the industrial areas of the City and to those who may be passing through, provided that such developments are generally limited in scale and do not detract from the general purpose of such areas to provide for intensive industrial activities.

Zoning By-law 10245:

Current Zoning: M2-3 – General Industrial Exception No. 3 Zone

Permitted Uses: warehousing and storage of goods, but not including salvage yards business, professional and/or administrative office

A retail outlet cannot occupy more than five (5) percent of the gross floor area of the main building or 93.0 sq. m., whichever is the lesser.

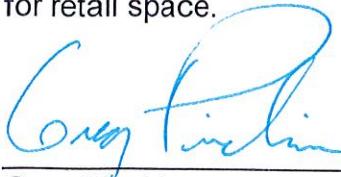
Comments:

1. the general location of the subject lands is in an area that is undergoing a slow transition from industrial uses to more and more commercial uses; Bell Boulevard could now be considered the major commercial corridor of the municipality;
2. the owner wishes to increase the amount of space allowed for commercial uses but still limit the use to 15% of the building area;
3. thus 85% of the building would still be restricted and not used for retail space;
4. the proposed use of the property involves increasing the area for the accessory retail component of the existing Buy Stuff Store warehouse;
5. this use needs to be in an area that does allow warehousing;
6. it is felt that the proposed variance meets the intent of the Zoning By-law and is considered to be minor in nature;

7. this variance would allow for the appropriate use 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 Michael Visser, 2034904 Ontario Inc. to permit up to 15% of the gross floor area of the existing building on the property located at 20 Hanna Court to be used for retail space.



Greg Pinchin
Manager of Approvals

MEMORANDUM

To: Greg Pinchin
Manager, Approvals Section

From: Jason Pettit
Development Technologist

Date: May 7, 2019

Application No. A7/19

Regarding: Committee of Adjustment Variance Application A7/19
20 Hanna Court, Belleville
OWNER: Michael Visser, 2034904 Ontario Inc.

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

We have no objection to this application.



Jason Pettit

This application for minor variance is in reference to the property at 20 Hanna Court, Belleville, located just north of Bell Boulevard. Property is zoned M2-3. Permitted uses under Bylaw #10245 include all M1 uses and a casting foundry.

The building on the property is a 25000 square foot former foundry, including a mix of warehouse, production areas, administration, and office space. One of the current uses is by a business known as the "Buy Stuff Store", a liquidation business engaged in online retail sales from this location. Skid lots and truckloads of consumer products are received, inspected, tested and listed on major online retail platforms, then shipped world wide to purchasers. Some of the products received in the bulk lots of liquidation do not meet the stringent standards for online sales, but are often entirely satisfactory for hands-on inspection by local buyers. Alternatively, much of this product would end up in landfill.

Current zoning allows for 5% of gross floor area, to a maximum or 93 m² (1001 square feet), to be used as a retail outlet as an accessory use to the operations of the building. Currently the Buy Stuff Store is using approximately 950 square feet of the total 25000 square feet for this use, or 4% GFA. This space leaves less than adequate room to properly display and sell this current flow of liquidation merchandise that has been well received by local consumers.

In consultation with Stephen Ashton and Greg Pinchin at City Hall, it was recommended to apply for a minor variance to the bylaw to allow a larger space for retail accessory use. Since the Buy Stuff Store business plan is to expand its wholesale and online retail operations, expanding the retail floor space to manage the additional product would also be a necessity. This plan involves up to an additional 2500 square feet to be converted to retail space, for a total of 3750 square feet, or 15% GFA.

Therefore, this application is requesting the Committee to consider a minor variance to the zoning of 20 Hanna Court to allow for 15% of gross floor area for retail outlet use as an accessory to the building operations.

It may be worth noting to the committee, that although the current zoning of Hanna Court is 'Industrial', the local area, both east and west on Bell Boulevard is predominately commercial zoning. Recent developments along Bell involve the casino, hotels and gas station. The recently approved zoning change to allow for Costco and other commercial interests indicate continued development in that same vein. In addition, a conversion of other properties nearby on Hanna Court itself in recent years has established a significant retail/commercial presence. A change to commercial zoning for 20 Hanna Court would be the ideal and most desirable outcome for its current uses and would cut significant costs to the taxation levy. However, our understanding from city staff is that such a change would require an Official Plan change and is not feasible in the foreseeable future.

City staff also noted the requirement for adequate parking for additional retail use. The property as it is currently established has significant parking areas and can easily accommodate as many as 40 vehicles in the east main lot alone. The south/west area around the building is established for additional parking, as well as loading dock areas.

The changes to expand the retail floor space in this building are strictly internal, and the footprint of the building is not proposed to be changed. Cosmetic improvements to the landscaping and building exterior are an expected byproduct of the conversion, as well as the expected growth of this local business.

**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 May 23, 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 the Hastings Prince Edward District School Board.

The subject property is 135 MacDonald Avenue and is zoned CF – Community Facility. The Owner wishes to construct a new elementary school on the property, and is seeking relief from the provisions of the zoning by-law on the number of parking spaces to be constructed. The current school has 42 spaces, and the Owner wishes to increase this to 57 spaces to meet the operational needs of the new school. The zoning by-law would otherwise require the provision of 124 spaces under the general provision "for every building or structure not specified".

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.

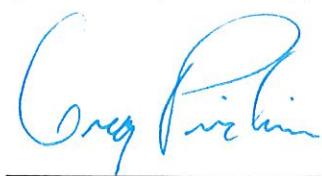
Any person may attend this meeting and/or make written or verbal representation either in support of or in opposition to this application or you may be represented by counsel for that purpose.

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.

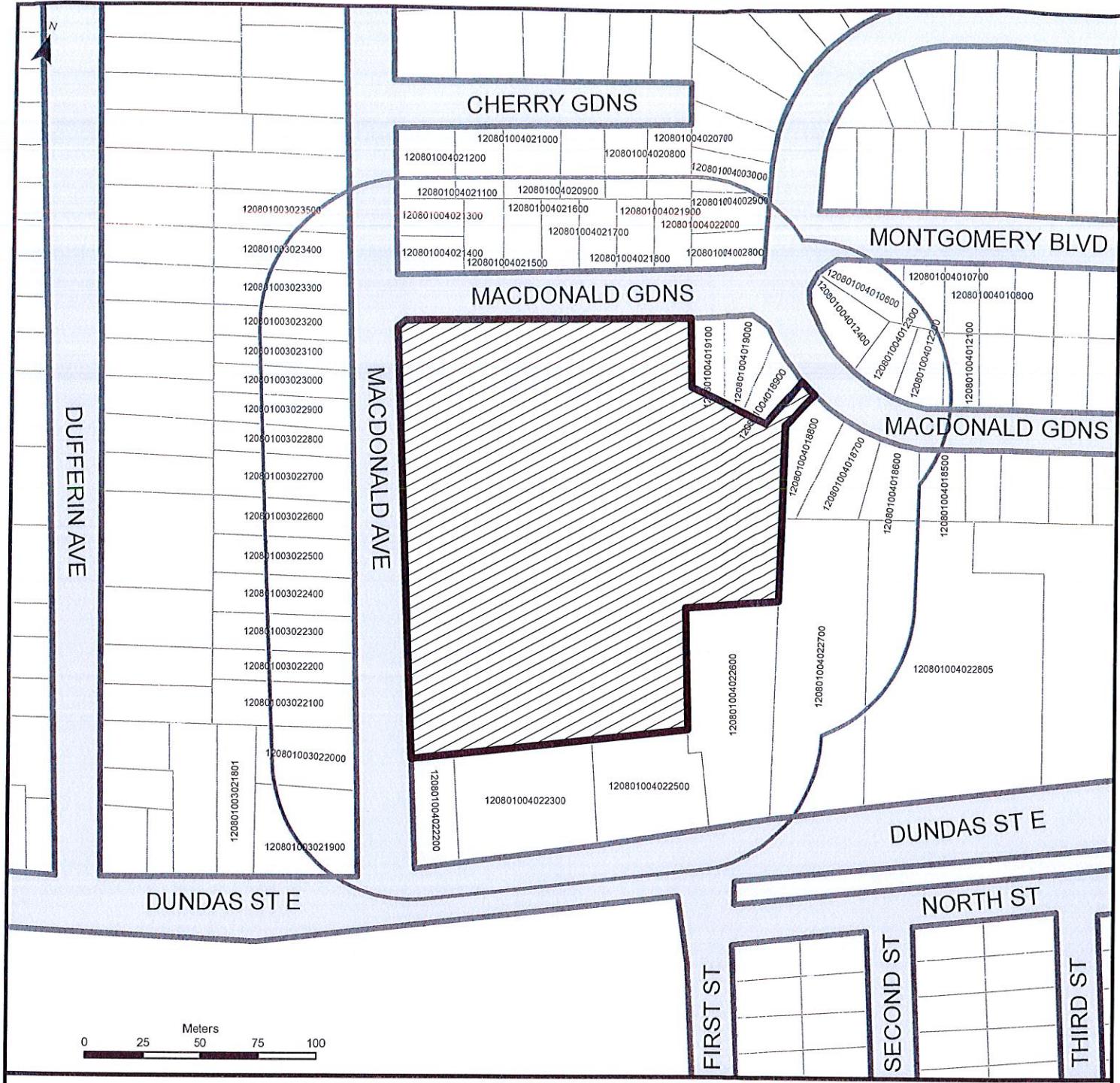
If a person or public body that files an appeal of a decision of the City of Belleville Committee of Adjustment in respect of the proposed minor variance does not make a written submission to the City of Belleville Committee of Adjustment before it gives or refuses to give approval, the Local Planning 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 2nd day of May, 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 8/19

LOCATION: 135 MACDONALD AVE
120801004022100



Subject Property



Notification Area



CITY OF BELLEVILLE

ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT

MINOR VARIANCE APPLICATION REVIEW

City of Belleville

Date: May 13, 2019

File No.: A8/19

Location: 135 MacDonald Avenue

Applicant: Hastings and Prince Edward District School Board

Proposal: To construct a new elementary school on the site with relief from the provisions of the zoning by-law relating to the number of parking spaces.

Official Plan:

Current Designation: Community Facility
Permitted Uses: a range of community uses including elementary schools

Zoning By-law 10245:

Current Zoning: CF – Community Facility
Permitted Uses: public, separate or private school, or college

Off-Street Parking: "for every building or structure not specified... 1 parking space for every 28 sq. m. of gross floor area"

Comments:

1. there is an existing elementary school located on the property;
2. the plan is to construct a new larger school beside the current school, and then demolish the existing building once the new one is completed;
3. assessment information suggests that the current school was primarily constructed in 1951, with a small addition in 1976, and thus pre-dates the current zoning by-law;
4. it was determined in consulting with the school board that there are no current school parking requirements in the zoning by-law, and as a result "for every building or structure not specified" would apply;
5. this catch-all applies to a range of other uses, such as office buildings that generate much higher parking needs than an elementary school;
6. based on the current gross floor area, the zoning by-law would require 124 parking spaces;
7. there are currently 42 spaces on site, and the board proposes to increase this to 57 spaces for the new school, which they are confident will meet their operational needs;
8. the proposed breakdown is as follows:

22 classrooms x 2 spaces each	=	44 spaces
Daycare	=	10 spaces
Barrier free parking	=	2 spaces
<u>Visitor space</u>	=	<u>1 space</u>
Total	=	57 spaces

9. the applicant advises that other municipalities typically apply a standard of 1.5 to 2 spaces per classroom;
10. the Policy Section also advises that they are in agreement with the school board's best practices in parking calculation, as the zoning by-law does not specifically regulate the number of spaces for school sites.

Conclusion:

Based on the foregoing, the Engineering & Development Services Department has no objection to the application by Hastings and Prince Edward County District School Board to permit a reduction in the number of off-street parking spaces provided for the proposed new elementary school at 135 MacDonald Avenue from 124 to 57.



Greg Pinchin
Manager of Approvals

MEMORANDUM

To: Greg Pinchin
Manager, Approvals Section

From: Jason Pettit
Development Technologist

Date: May 7, 2019

Application No. A8/19

Regarding: Committee of Adjustment Variance Application A8/19
135 Macdonald Avenue, Belleville
OWNER: Hastings and Prince Edward District School Board
AGENT: Ed Rushlow

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 May 23, 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 Cheryle Morrow on behalf of The Estate of Greta Ann Cole.

The subject property is municipally known as 194 B Harmony Road, and is zoned RR-19 – Rural Residential, RU – Rural, and H - Hazard. The applicant wishes to sever an existing dwelling from the retained property. The severed parcel would have a minimum frontage of 45 m on River Road and an area of approximately 3.6 hectares, while the retained parcel would have a frontage of approximately 55 m on River Road and an area of approximately 4.7 hectares. For ease of access the applicant wishes to extend a right-of-way from Harmony Road to provide access to the retained parcel; the proposed severed parcel is already accessed by the existing right-of-way.

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

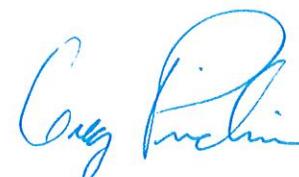
Additional information relating to this proposed consent application in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act is available for inspection between 8:30 A.M. and 4:30 P.M., Monday to Friday, at the Approvals Section, 2nd Floor, Belleville City 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 2nd day of May, 2019.



Greg Pinchin
Manager of Approvals
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Committee of Adjustment
169 Front Street
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APPLICATION NO:

B 10/19

LOCATION: 194B HARMONY RD
120810004504605



Subject Property



Notification Area



CITY OF BELLEVILLE

ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT

CONSENT APPLICATION REVIEW City of Belleville

Date: May 14, 2019

File No.: B 10/19

Location: 194B Harmony Road

Applicant: Cheryle Morrow

Proposal: To sever the subject lands to separate the existing dwelling from the retained property, creating a severed parcel with a minimum frontage of 45 m on River Road and an area of approximately 3.6 ha. Both severed and retained parcels are proposed to be accessed via an existing right-of-way from Harmony Road that would be extended to the retained parcel as shown on the sketch supplied with the application.

Retained Parcel: frontage: approximately 55 m on River Road
area: approximately 4.7 hectares
current use: farm land and wooded flood plain
proposed use: no change

Severed Parcel: frontage: at least 45 metres
area: approximately 3.6 hectares
current use: single detached dwelling, farm land and wooded flood plain
proposed use: no change

Provincial Policy:

1.1.5.2 Rural permitted uses c) limited residential development

1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

Official Plan:

Current Designation: Rural Land Use and Environmental Protection

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

7.2.1 a) iii) No subdivision of land should be granted which would result in any landlocked parcel being created
iv) Development parcels should have direct access to an open municipal road

7.2.4 c) 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

3.5.1 d) Where new lots are proposed adjacent to water courses or drainage systems and where part of the lot will be located in a floodplain, sufficient land above the flood line upon which to place buildings, yards and services in accordance with the policies of this Plan must be provided

Zoning By-law 3014:

Current Zoning:	RR-19 – Rural Residential with Minimum Lot Frontage 20.1 m RU – Rural H – Hazard
Permitted Uses:	single family dwelling or farm
Minimum lot area:	0.4 hectares (RR Rural Residential Zone) 6 hectares (non-residential – RU Zone)
Minimum lot frontage:	45 metres (RR Rural Residential Zone) 70 metres (non-residential – RU Zone)

Comments:

1. policies in the Official Plan permit the severance of up to two residential lots from the subject lands; there was a lot boundary adjustment in 2003 but no new parcel was created since prior to 1998;
2. the request results from the applicant's desire to settle an estate by dividing the land into two parcels, both having frontage on River Road, but being accessed by the extension of a right-of-way over the severed parcel in favour of the retained parcel; it is noted that the parcel is currently accessed via right-of-way over 194 Harmony Road;
3. Quinte Conservation advises that a building envelope sketch must be completed to determine whether there is sufficient area for development outside of the flood and wetland hazards on the retained lands; such sketch must clearly depict a suitable building envelope as noted on Quinte Conservation's comments dated May 9, 2019;
4. as noted earlier, policy 7.2.1 a) iv) of the Official Plan notes that development parcels should have **direct access to an open municipal road**, this has drawn concern in terms of comments received from the Policy Section and Quinte Conservation;
5. follow-up e-mail correspondence with Quinte Conservation advises that they cannot issue a permit to construct or install a driveway within the flood plain of the Moira River, and that a special request would have to be approved by their Executive Board Members' Hearing Committee;
6. Quinte Conservation's Policies and Procedures Manual states that acceptable water depth for vehicle access may not exceed 0.3 metres, and that new lots created by way of consent crossing flood susceptible areas must have safe road access;
7. Conservation Staff note that based on their mapping, the depth of water during the 1:100 year flood event would be 0.5 metres (1.64 feet) in the location of a proposed driveway off River Road;
8. on this basis Conservation Authority Staff advise that they would recommend an application for a driveway off River Road be denied by their Executive Board Members' Hearing Committee;
9. comments from the Policy Section also highlight the need for direct access from an open municipal road, and suggest that a lack of such access to River Road along the frontage of the proposed lot would contravene the policies of the Official Plan and effectively create a landlocked parcel;
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 (i.e., local road).

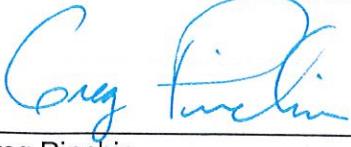
Conclusion:

Based on the foregoing comments, the Approvals Section of the Engineering and Development Services Department has concerns with the proposed application, as it appears unlikely that permission could be granted from Quinte Conservation to obtain direct access to the proposed lot from an open municipal road. Should the Committee approve the application by Cheryle Morrow to sever the subject lands to sever the existing dwelling with a frontage of at least 45 m on River Road and a lot area of approximately 3.6 hectares, and the extension of the existing right-of-way to provide access to the retained parcel from Harmony Road, such approval should be 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 frontage of the severed and retained parcels to widen River Road to a width of 10 metres from the centreline of the road allowance;
4. acceptance and approval by Quinte Conservation of a required building envelope sketch for the retained parcel as requested in their May 9, 2019 comments on the application;
5. approval by Quinte Conservation's Executive Board Members' Hearing Committee of an application to create a driveway from River Road that would provide direct access to the retained parcel;
6. the necessary deeds to be submitted in triplicate and Conditions 1 to 5 inclusive be fulfilled prior to the issuance of the Consent Certificate;
7. Conditions 1 to 6 inclusive to be fulfilled within one (1) year of the Committee's Decision;



Greg Pinchin
Manager of Approvals



QUINTE CONSERVATION - PLANNING ACT REVIEW

QC File No. PL0100-2019

Municipality:	City of Belleville				
Agent/Applicant:	Cheryle Morrow				
Location:	194B Harmony Road	Part Lot 5, Concession 4	Thurlow		
Roll #:	1208-100-045-04605-00000				
Application Description:	Consent Application File No. B10/19	Sever a 2.1 acre rural parcel with an existing dwelling and outbuildings and extend the existing right-of-way to access the proposed retained 20.76 acre parcel.			
Regulated Features:	1:100 year flood plain of the Moira River, and Corbyville Provincially Significant Wetland (PSW)				
	<u>Planning Act - Natural Hazard policies of the Provincial Policy Statement and Quinte Conservation Planning Act Review policy</u>				
	<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.</p> <p>In order to satisfy section 3.1 of the PPS, a building envelope sketch must be completed to determine whether there is sufficient area for development outside of the flood and wetland hazards on the retained lands. A building envelope sketch must be completed which clearly depicts a suitable building envelope outside of the greater of a 15 metre setback from the 1:100 year flood plain of the Moira River (102.4 metres GSC); a 30 metre setback from the PSW boundary (indicated by the edge of tree line where it meets the hay field); and any other Municipal by-law setback requirements. It should be noted that the road frontage on River Road is located entirely within the 1:100 year flood plain and wetlands, and as a result safe access via River Road is not present on the retained parcel. It is understood that the route of access to the proposed retained parcel is through the proposed right-of-way extension.</p>				
	<u>Ontario Regulation #319/09 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)</u>				
Comments:	<p>The subject lands lie within the regulated area of the 1:100 year flood plain of the Moira River, and within 120 metres of the Corbyville Provincially Significant Wetland (PSW) (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 1:100 year floodplain of Moira River, and within 120 metres of the wetland boundary.</u></p>				
	<u>Quinte Region Source Protection Plan</u>				
	<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>				
	<u>Planning Act - Natural Heritage policies of the Provincial Policy Statement</u>				
	<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. Staff are satisfied that the application <u>as presented is consistent with the natural heritage policies of the Provincial Policy Statement</u>. The proponent may wish to contact the Ministry of Natural Resources and Forestry for further information.</p>				

Final Comments:

The proponent is required to submit a building envelope sketch which clearly depicts a 15 metre setback from the 1:100 year flood plain of the Moira River, and a 30 metre setback from the PSW boundary in addition to Municipal by-law setback requirements.

Sam Carney

Sam Carney
Planning and Regulations Technician

May 9, 2019

Date

And:
Tim Trustham
Planner/Ecologist

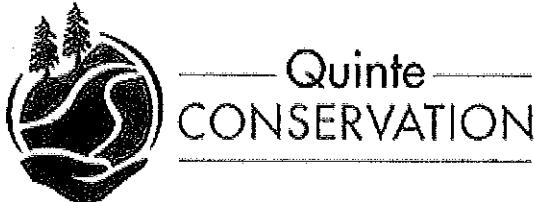
From: Samantha Carney [<mailto:SCarney@quinteconservation.ca>]
Sent: Friday, May 10, 2019 9:15 AM
To: Pinchin, Greg
Subject: RE: Consent B10/19 - Morrow, Harmony/River Road

Morning Greg,

As per Policy, our Regulations staff cannot issue a permit to the landowner to construct or install a driveway within the flood plain. There is however, always the opportunity for a landowner to bring such a proposal to our Executive Board Members' Hearing Committee who would review the application and make a decision.

Sam Carney

Planning & Regulations Technician
Quinte Conservation
RR#2, 2061 Old Hwy #2, Belleville, ON K8N 4Z2
Phone: (613) 968-3434 or (613) 354-3312 ext 111



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www.QuinteSourceWater.ca

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From: Samantha Carney [mailto:SCarney@quinteconservation.ca]
Sent: Tuesday, May 14, 2019 10:11 AM
To: Pinchin, Greg
Subject: RE: Consent B10/19 - Morrow, Harmony/River Road

Morning Greg,

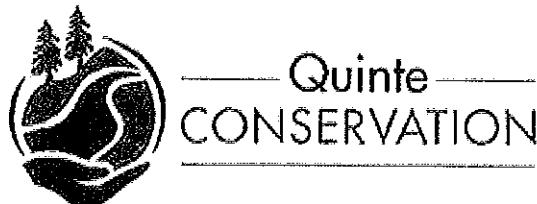
Having a closer look our flood plain mapping and the elevations here, the depth of water, during the 1:100 year flood event, would be 0.5 metres (1.64 feet) in the location of the proposed driveway off of River Road.

As per Quinte Conservation's Policies and Procedures Manual, it states that the acceptable vehicle depth for vehicle access may not exceed 0.3 metres. New lots created by way of consent that cross flood susceptible areas must have road access that is safe. In the event of an emergency/flood situation, vehicle access via River Road would be impaired for occupants and emergency personnel.

Based on this information, staff would recommend that our QC Hearing Board deny such an application for the proposed driveway off of River Road.

Sam Carney

Planning & Regulations Technician
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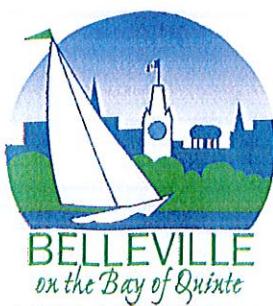


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City of Belleville

Engineering & Development Services Department Planning Section

Tel: 613-967-3288
Fax: 613-967-3262

May 14, 2019

Attention: Greg Pinchen, Manager of Approvals
From: Stephen Ashton, Manager of Policy Planning
Re: Consent B10/19 - Morrow, Harmony/River Road

Section 7.2.1.a of the City of Belleville Official Plan provides policies in a number of subsections respecting subdivision of land applicable to all land use designations including:

- i) No subdivision of land should be approved which would contravene the policies of this Plan.
- ii) No subdivision of land should be granted which would result in any landlocked parcel being created.
- iv) Development parcels should have direct access to an open municipal road (excluding individual units within condominium developments).
- vi) There should be no significant negative impact upon the environment, either directly or through the cumulative impact of development in the area; where private services are proposed (i.e. septic system and well), the adequacy of natural systems to provide required services should be confirmed. The means by which cumulative impacts are to be assessed should be addressed.

The proposal is contemplating access to the property through a right-of-way over another private property. There would still be the requirement for direct access of the property to an open municipal road to comply with the Official Plan policies. Otherwise, the property would be considered landlocked.

Analysis:

In consideration that Quinte Conservation have provided correspondence that their Regulations Staff cannot issue a permit to the landowner to construct or install a driveway within the flood plain. This means that the proposed lands would NOT have direct access to an open municipal road and would result in the contravention of policies of the Official Plan.

Quinte Conservation has indicated that there is the opportunity for the landowner to bring a proposal to their Executive Board Members' Hearing Committee for the installation of a driveway to have direct access to the municipal road.

Conclusion:

It is Policy Planning Staff's recommendation that if the Committee of Adjustment are to approve this application, a condition of the consent will need to be the approval of the Quinte Conservation Executive Board Members' Hearing Committee for the installation of a driveway to have direct access to the municipal road.

Respectfully Submitted,

Stephen Ashton, MCIP, RPP, CAHP
Manager, Policy Planning
Engineering and Development Services Department

MEMORANDUM

To: Greg Pinchin
Manager, Approvals Section

From: Jason Pettit
Development Technologist

Date: May 7, 2019

Application No. B10/19

Regarding: Committee of Adjustment Application for Consent B10/19
194B Harmony Road, Belleville
OWNER: Cheryl Morrow

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 Harmony Road, and River Road are designated as local roads and require 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.



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 May 23, 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 John Royle.

The subject property is municipally known as 18 St. Paul Street. The applicant wishes to sever the western part of the property to create a new building lot, with the intention of attaching a second dwelling unit to the side of the existing building, thus creating a semi-detached dwelling where both halves could be separately conveyed. The property is zoned R2-1, and would require a re-zoning as a condition of severance. The severed parcel is proposed to have a lot frontage of 9.0 m and an area of 337.3 sq m, while the retained parcel is proposed to have a lot frontage of 10.55 m and an area of approximately 403.1 m².

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

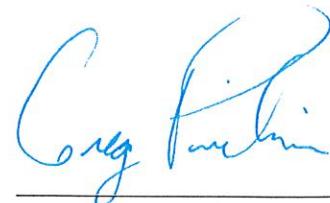
Additional information relating to this proposed consent application in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act is available for inspection between 8:30 A.M. and 4:30 P.M., Monday to Friday, at the Approvals Section, 2nd Floor, Belleville City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

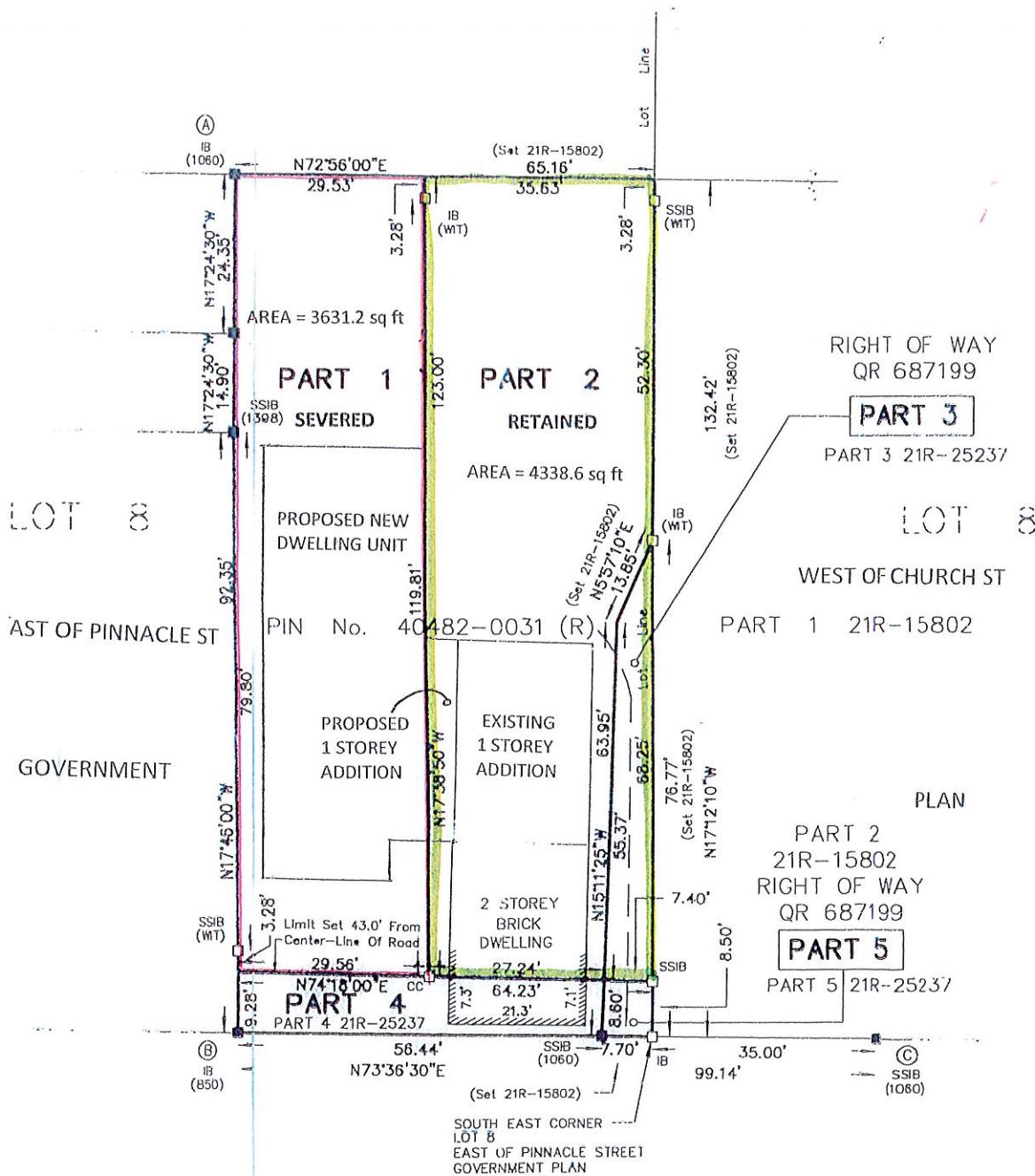
Dated this 2nd day of May, 2019.



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

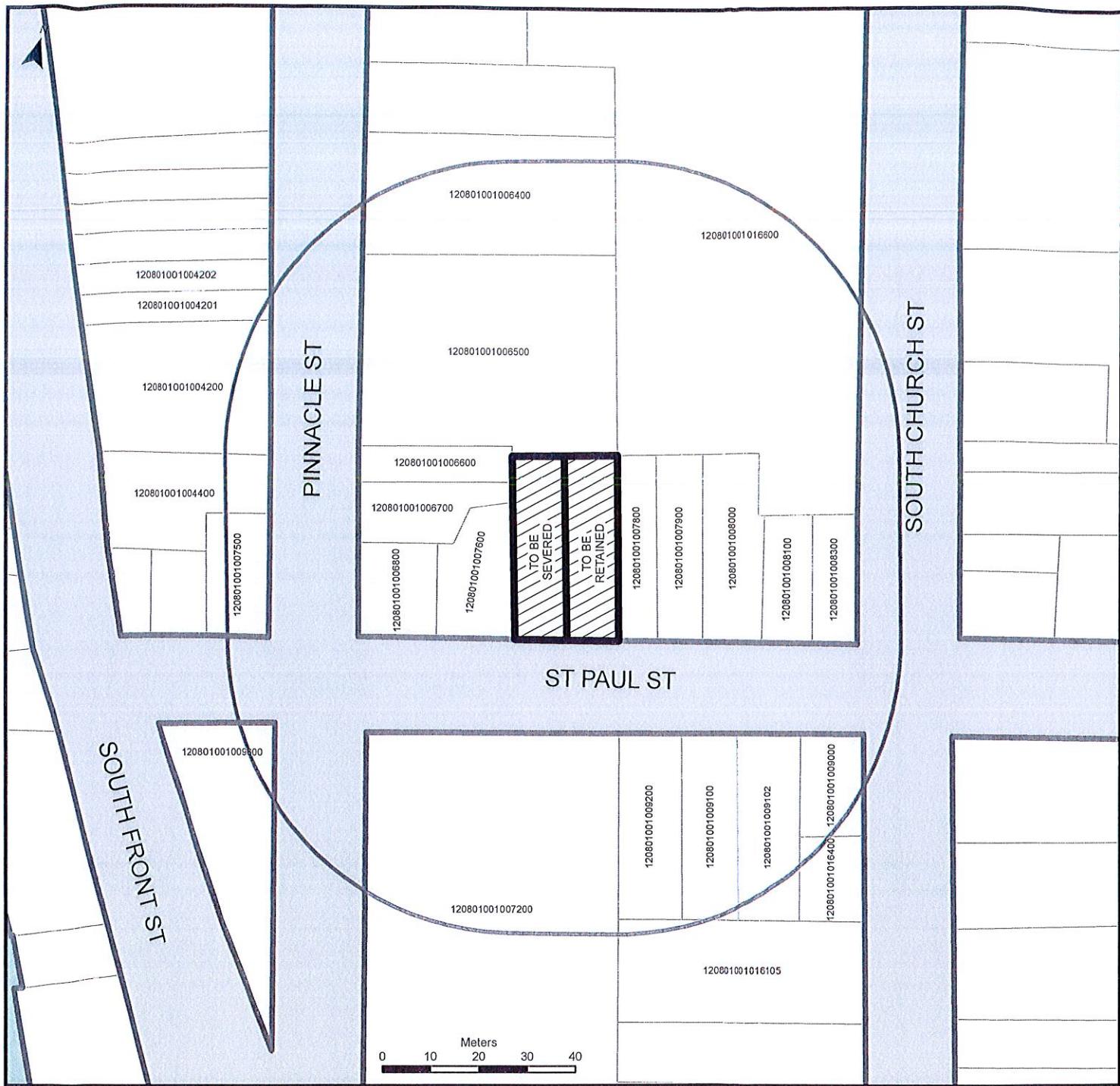
SKETCH

PART OF LOT 8
EAST OF PINNACLE STREET
GOVERNMENT PLAN
CITY OF BELLEVILLE
COUNTY OF HASTINGS
IMPERIAL SCALE 1" = 20'



ST. PAUL STREET (GOVERNMENT PLAN)
(FORMERLY WHARF STREET)

BELLEVILLE COMMITTEE
OF ADJUSTMENT



APPLICATION NO:

B 11/19

LOCATION: 18 ST. PAUL ST
120801001007700



Subject Property



Notification Area



CITY OF BELLEVILLE

ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT

CONSENT APPLICATION REVIEW City of Belleville

Date: May 13, 2019

File No.: B 11/19

Location: 18 St. Paul Street

Owner: John Royle

Proposal: To sever the subject lands to create a separate residential lot in the side yard for an addition to convert the existing dwelling into semi-detached dwelling with a minimum lot area of 337 m² and a minimum lot frontage of 9.0 m along the north side of St. Paul Street.

Retained Parcel: frontage: 34.64' (10.56 m)
area: 4338.6 sq ft (403.1 m²)
current use: single detached dwelling
proposed use: half of a semi-detached dwelling

Severed Parcel: frontage: 29.56' (9.0 m)
area: 3631.2 sq ft (337.3 m²)
current use: vacant side yard
proposed use: half of a semi-detached dwelling

Official Plan:

Current Designation: Residential Land Use, Harbour Neighbourhood

Permitted Uses: a range of residential uses

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

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

Zoning By-law 10245:

Current Zoning: R2-1 – Residential Second Density Zone

Permitted Use: single detached dwelling
Minimum lot area: 371.5m²
Minimum lot frontage: 12.0m

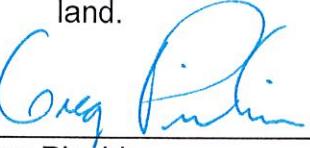
Comments:

1. this is a resubmission of file B 15/18, as the necessary conditions cannot be fulfilled before the decision lapses;
2. there lot area and frontage are sufficient for a semi-detached dwelling under the R3 or R4 zones; a semi-detached dwelling is not permitted under current zoning, thus any approval must be conditional on approval of a zoning by-law amendment;
3. the Provincial Policy Statement (PPS) supports residential infill on full municipal services rather than utilizing greenfield sites, which would provide a range of housing types and tenures;
4. the severed and retained parcels will each require their own separate water and sewer services;
5. a drainage plan for the severed and retained parcels will be required to ensure stormwater does not negatively impact abutting properties;
6. Municipal policy is to collect a cash-in-lieu of parkland contribution for all new building lots that are created.
7. Municipal policy is to acquire land for a road widening if the road on which the subject lands front does not meet the standard right of way width requirements of the specific road classification (ie: collector road);

Conclusion:

Based on the foregoing, the Approvals Section of the Engineering and Development Services Department has no objection to the application by John Royle to sever the subject lands to create a residential building lot with a minimum lot area of 337 m² and minimum lot frontage of 9.0 m along the north side of St. Paul Street, on which could be constructed half of a semi-detached dwelling to attach to the existing dwelling on the retained parcel, subject to the following conditions:

1. the financial requirements of the City with respect to Tax Arrears and/or other outstanding charges levied against the subject property to be satisfied;
2. the City Parks Policy with respect to cash-in-lieu contribution established by the Council of the Corporation of the City of Belleville shall apply to the severed parcel and the necessary payment lodged with the Treasurer of the City of Belleville;
3. the Owner provide a drainage plan for the severed and retained lots to the satisfaction of the City of Belleville;
4. the applicant deeding (conveying) to the City free of encumbrance a strip of land across the frontage of the subject and retained parcels to widen St. Paul Street to a width of 13 m from the centreline of the street;
5. that the subject property is rezoned to an appropriate residential zone to permit a semi-detached dwelling;
6. the necessary deeds to be submitted in triplicate and Conditions 1 to 5 inclusive be fulfilled prior to the issuance of the Consent Certificate;
7. Conditions 1 to 6 inclusive to be fulfilled within one (1) year of the Committee's Decision;
8. Development charges will be payable for any future development of the severed and retained parcels; separate Municipal services will be required for both the severed and retained parcels of land.



Greg Pinchin
Manager of Approvals

MEMORANDUM

To: Greg Pinchin
Manager, Approvals Section

From: Jason Pettit
Development Technologist

Date: May 7, 2019

Application No. B11/18

Regarding: Committee of Adjustment Application for Consent B11/18
18 Saint Paul Street, Belleville
OWNER: John Royle
AGENT: Keith Watson

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. Any existing drains on the retained or severed portions are not to be removed, altered or relocated without the consent of the City.
2. All driveway accesses shall conform to the City's Driveway Control By-Law No. 2001-129.
3. Any dwelling constructed on the severed lot will be required to have its own municipal sanitary and water service.



Jason Pettit