

# PLANNING JUSTIFICATION REPORT

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699 Dundas Street West  
City of Belleville



Submitted By:

**RFA Planning Consultant Inc.**

202-211 Dundas Street East, Belleville, Ontario, K8N 1E2

December 28, 2023

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## 1. INTRODUCTION

### 1.1 699 Dundas Street West

RFA Planning Consultant Inc. was retained by 7939191 Canada Inc. to provide professional planning services for an Official Plan Amendment (OPA) to the Loyalist Secondary Plan and a Zoning By-law Amendment to Zoning By-law 2076-80. This Planning Justification Report has been prepared in support of these amendments.

The subject property is situated on the south side of Dundas Street West just east of Wallbridge Loyalist Road. The subject property has a municipal address of 699 Dundas Street West.

Currently situated on the north end of the subject property is a 1-storey office building with two parking areas. Just east of the main building is an office trailer.

The south end of the subject property is undeveloped although there is a boat house and associated Quonset hut adjacent to the shoreline of the Bay of Quinte.

It is proposed to construct a second office building on the subject property just south of the current building and provide additional parking and a new private septic system.

The lands currently have a split land use designation in the Loyalist Secondary Plan with the north end of the subject property designated “*Employment Area*” and the south part designated “*Community Facility*”. Adjacent to the Bay of Quinte the land is designated “*Environmental Protection*” and there is no request or need to change this designation. This part of the property is not to be developed.

The lands currently have a split zoning in draft Zoning By-law No. 2024-zz with the north end of the property zoned “*Regional Commercial (C3) Zone*” while the south end of the property is zoned *Development Special (DS) Zone*”

In essence, the requested Official Plan Amendment and Zoning By-law has been submitted to remove the split land use designation and split zoning on the subject property and consolidate the developable part of the subject property into one land use designation and one zoning category. In doing so, it is requested that the future development of this site be allowed to proceed with municipal water and a private on-site septic system.

Consequently, an Official Plan Amendment is requested to re-designate the “*Community Facility*” portion of the subject lands to “*Employment Area*”. The “*Environmental Protection*” lands will remain unchanged.

Similarly, a Zoning By-law Amendment is requested to rezone the portion of the subject property zoned “*Development Special (DS) Zone*” to “*Regional Commercial (C3) Zone*” in proposed Zoning By-law No. 2024-xx.

The requested amendments will allow the expansion and consolidation of the existing business located on the subject property.

Table 1 below provides a background summary of the site.

<b>Legal Description</b>	Part Lot 31, Concession Broken Frontage, Sidney
<b>Civic Address</b>	699 Dundas Street West
<b>Lot Area</b>	1.92 hectares
<b>Lot Frontage</b>	68.8 metres (Dundas Street West)
<b>Access</b>	Dundas Street West
<b>Official Plan Designation</b>	“Employment Area”, “ <i>Community Facility</i> ” and “ <i>Environmental Protection</i> ”
<b>Zoning</b>	“ <i>Regional Commercial (C3) Zone</i> ” and “ <i>Development Special (DS) Zone</i> ”

Table 1: Background Summary

## 1.2 Site Location & Context

### Legal Description

The subject lands are described as for Part Lot 31, Concession Broken Frontage, Sidney, municipally known as 699 Dundas Street West, now City of Belleville, County of Hastings.

### Site Area and Frontage:

The subject lands have a total area of 1.92 hectares (19,216.5 m<sup>2</sup>) with 68.8 metres (feet) of frontage on the south side of Dundas Street West.

Figure 1 on the following page shows the location of the lands.





Figure 1: Location Map

**Surrounding Land Uses:**

The surrounding land uses are indicated below:

To the south: Bay of Quinte

To the north: commercial activities

To the west: vacant, undeveloped field; converted single detached dwelling used as office space by Applicant

To the east: church

**Site Context:**

The site is essentially flat from north to south although at the far south end of the property there is a noticeable drop off in grade down to the shore of the Bay of Quinte. The north end of the property is developed with an office building, office trailer and parking while the southern 2/3's of the subject land is undeveloped with trees and vegetation and scrub grass. There is a gravel road that leads to the water's edge and the boat house.

The site and surrounding land uses are depicted in the photos below.



Looking south at existing entrance from Dundas St. W.





Looking west at existing office trailer on the subject property.



Looking at front of existing office building on the subject property.





Looking north at existing office building on subject property.



Looking north at parking area and back of existing office building on subject property.





Looking south from parking area to Bay of Quinte.

## 2. PRELIMINARY SITE PLAN

The proposed future development of the subject property is illustrated on APPENDIX 1.

The current driveway from Dundas Street West will be closed and two (2) new driveways will be constructed at the front east and west corners of the subject property. The existing 1-storey office will remain while a second 2-storey office building will be constructed behind, or south of the existing building. This new building will have 2,067m<sup>2</sup> of floor area.

Multiple parking lots will be provided with a total of 157 parking spaces including six (6) accessible spaces and dedicated parking spaces for EV vehicles. Biking parking for 10 bikes is also provided.

An outdoor staff lunch area is also provided.

A new private septic system is to be constructed south of the main parking area while municipal water serves the property with an existing fire hydrant located directly across the street from the subject property.

During construction three (3) temporary office trailers will be on site but removed once the new office building can be occupied.

Allowance for a public waterfront trail running east to west across the subject property is provided along the south end of the property adjacent to the Bay of Quinte.

The existing boat house and associated Quonset hut remain at the water's edge and there are no proposed changes to these structures.

### 3. PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement (PPS) applies to all planning applications effective May 1, 2020. It provides policy direction on matters of provincial interest related to land use planning and development. All decisions related to land use planning matters “shall be consistent with” the PPS.

It is our professional opinion that the proposed use of the subject property is in conformity with the PPS.

The PPS directs all new development to a designated settlement area pursuant to Section 1.1.3.1: “*Settlement areas shall be the focus of growth and development.*”

The subject property is located within the Belleville urban area, a designated settlement area.

*Section 1.1.3.2 of the PPS states:*

*“Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed;”*

There is an existing office building and commercial activity on the subject lands and intensifying this existing use would make more efficient use of the property.

The proposed development of this property utilizes the public services which are available and planned for. Municipal water is provided along with a 4-lane street with turning lane.



This proposed development will provide for the expansion and extension of the City's waterfront trail with the provision of a trail section across the property thereby promoting active transportation. An area for bicycle parking is also to be provided on-site.

The subject property is situated on a City bus route providing the opportunity to utilize public transit to come to work.

Section 1.3 of the Provincial Policy Statement deals with Employment.

Section 1.3.1 states:

*"Planning authorities shall promote economic development and competitiveness by:*

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;"*

Expanding and consolidating an existing business on the subject property is definitely promoting economic development and providing an excellent opportunity to strengthen a diversified economic base for the municipality.

Section 1.6.6 of the PPS deals with Sewage, Water and Stormwater.

Sections 1.6.6.2 and 1.6.6.5 state:

*"1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.*

*1.6.6.5 Partial services shall only be permitted in the following circumstances:*

- a) where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development; or*
- b) within settlement areas, to allow for infilling and minor rounding out of existing development on partial services provided that site*

*conditions are suitable for the long-term provision of such services with no negative impacts.”*

The subject property is to be serviced with partial services in the sense of municipal water and an individual on-site sewage service. This is permitted by the PPS in cases where it will allow for infilling in a settlement area. The on-site sewage service is being designed for no negative impact and to be suitable for the long-term.

Unfortunately like most municipalities the City of Belleville has an extensive list of costly infrastructure projects to undertake and it is not possible to construct and fund all these projects at one time.

In this regard, the municipality is committed to a large sanitary sewer project further north in the Loyalist Secondary Plan area and it will not be feasible to extend a trunk sewer along Dundas Street West for the foreseeable future.

Finally, Section 1.7 of the PPS deals with Long-Term Economic Prosperity.

Specifically Section 1.7.1 states “*Long-term economic prosperity should be supported by:*

- a) *promoting opportunities for economic development and community investment-readiness;”*

Allowing the expansion of the existing business on the subject property would clearly promote economic development in Belleville and along Dundas St. W.

## **4. BELLEVILLE OFFICIAL PLAN & THE LOYALIST SECONDARY PLAN POLICIES**

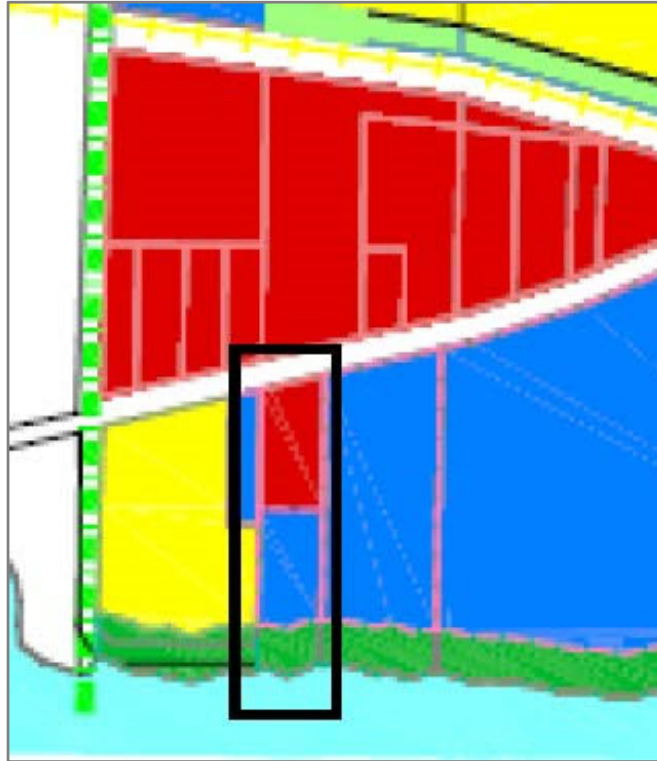
Schedule ‘B’ Land Use Plan of the Official Plan for the City of Belleville locates the subject lands within the Loyalist Secondary Plan. Detailed policies are found in the Loyalist Secondary Plan which was adopted by the City of Belleville on November 8, 2010.

As shown on Schedule ‘A’ – Land Use Plan of the Loyalist Secondary Plan as identified on **Figure 2**, on the following page, the subject lands are placed within three (3) different land use designations being, from north to south, “*Employment Area*”, “*Community Facility*”, and “*Environmental Protection*”.

An Amendment to Schedule A of the Loyalist Secondary Plan is requested to recognize the proposed use of the lands as a commercial use (Employment Area).



In doing so, the current “*Community Facility*” as indicated in blue on **Figure 2** would be re-designated “*Employment Area*” (red).



**Figure 2: Schedule ‘A’ – Extract from the Land Use Plan of the Loyalist Secondary Plan**

At the same time, there is no request or need to change the current “*Employment Area*” and “*Environmental Protection*” land use designations.

The middle section of the subject property is designated “*Community Facility*” which makes no sense given the existing and proposed use of the subject lands. This is an active commercial property with a thriving business which wants to expand and consolidate on the property. It cannot do so with the current designation. Furthermore, what planning sense is it to have a split land use designation with community facilities located in behind a commercial endeavour without direct road frontage?

Section 3.2 of the Loyalist Secondary Plan contains the following policies for an “*employment area*” designation.

### *“3.2 Employment Area*

*Lands designated Employment Area on Schedule A are intended to be used for a full range of commercial and industrial land uses. They are lands that will provide employment opportunities to the residents of the region and are located primarily on major transportation routes to ensure maximum exposure to the traveling public and to facilitate ease of access. Specific and separate policies are established for commercial type employment uses and industrial type employment uses.”*

These policies include the following.

#### *“3.2.1 Commercial Employment Use Policies*

- a) Commercial employment uses permitted within areas designated Employment Area should be appropriate for the market area the commercial area is best suited or designed to service. Commercial uses that are intended to service the community or regional markets should be directed to areas that are readily accessible from the arterial road network.*
- b) In general, commercial employment uses to be permitted within areas designated Employment Area would include business and professional offices, retail establishments, places of entertainment, assembly halls, restaurants, hotels and motels, personal service uses, automotive uses, community facilities and recreational uses.*
- e) The following design policies should be applied to all commercial employment development:*
  - i) Outdoor storage areas for garbage should be fenced or screened from adjacent uses and preferably located away from the public street.*
  - ii) The appearance of parking lots, loading facilities and service areas should be enhanced through appropriate landscaping, with appropriate lighting of such areas to ensure public safety, which should be oriented away from nearby residential properties and not interfere with visibility on public streets.*
  - iii) Loading facilities, parking lots and service areas should be located so as to minimize the effects of noise and fumes on any adjacent residential properties, and where possible, such facilities should be located in a yard that does not immediately abut a residential property, and where they do, measures to mitigate the impact of such a location by fencing or plantings, berming and buffer strips, or increased setbacks should be employed as required.*
  - iv) Facilities for safe pedestrian access and circulation on-site should be provided.”*



The proposed development of the subject property adheres to all of the above noted policies. This proposed use assists with providing a full range of commercial uses, specifically a permitted business and professional office and is located on a major arterial road. Furthermore, through the site plan approval process the listed design policies will be adhered to.

Section 2.2 is titled the Purpose of the Loyalist Secondary Plan and this section contains a range of policies including the following.

*“It is the intent of this Secondary Plan that the Loyalist Planning Area be serviced by full municipal sanitary sewage, water supply and other utility systems. However, in light of the servicing limitations for this area, some limited forms of development may be permitted without access to full services, such as space extensive uses (being non-residential uses that require or have a large land base with comparatively small development footprints and which have limited service demands that can be managed on-site). Further, such form of servicing shall only be accepted in areas that are not intended to be fully serviced for some time.”*

While the intent is for development to be on full municipal services it is recognized that some limited forms of development may be permitted without access to full services. It is suggested that the expansion of an existing commercial use could be considered a limited form of development.

Moreover, the feasibility of the municipality extending a trunk sewer from Avonlough Road to Wallbridge Loyalist Road along Dundas Street West in the short to medium term future is highly doubtful. Apart from servicing the existing uses there is relatively little opportunity to generate infill development with a potentially costly sewer.

Lastly, Section 4.2 of the Secondary Plan deals with the Municipal Sanitary Sewer System as follows.

*“iii) development in the southern portion of the Plan area extending from the Bay of Quinte to Potter Creek will be permitted on a limited basis as a result of the limitations in the Palmer Road pumping station and the Dundas Street forcemain between Palmer Road and Sidney Street. Development in advance of the required upgrades to these facilities could proceed up to a maximum of 500 dwelling units (or equivalent) in the Secondary Plan area. The City should continue to monitor the sanitary sewage flows from the Plan area to determine impacts on the Palmer Road Pumping Station and the Dundas Street Trunk Sanitary sewer;”*

*“Notwithstanding the above, other options to service the remainder of the Secondary Plan with sanitary sewer services may be considered provided such options are financially and technically feasible.”*

To reiterate, it is our position that a trunk sewer will not be extended westward to the subject lands and onto Wallbridge Loyalist Road in the foreseeable future and the cost of such a sewer would be hard to justify. Consequently, in this situation it is appropriate to allow the expansion of the existing business on the subject property using a private on-site septic system.

In conclusion, it is our professional opinion that the proposed use of the subject property is in conformity with the Loyalist Secondary Plan.

## 5. ZONING BY-LAW ANALYSIS

As shown on an extract of Schedule ‘B-1’ – Sidney Zoning Map as identified on **Figure 3**, below, the subject lands are currently zoned a specialized “Highway Commercial Zone (CH-17), a specialized “Holding Zone (H-4)” and a specialized Environmental Protection Zone (E-1)” by Zoning By-law No. 2076-80.



**Figure 3: Extract from Schedule ‘B-1’ – Sidney Zoning Map**

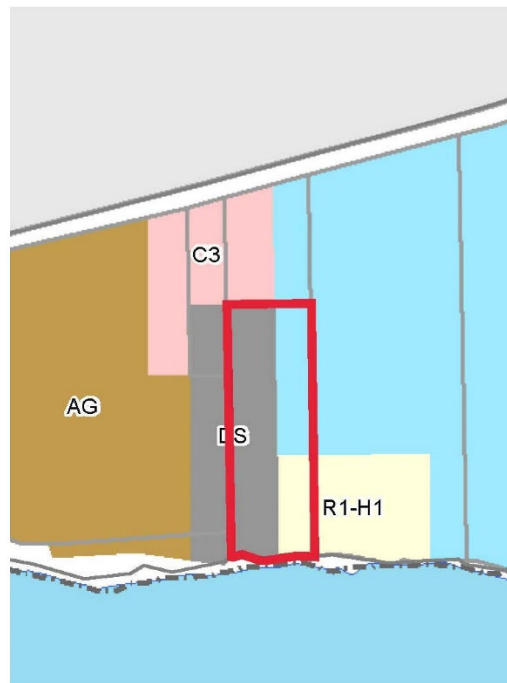
The CH-17 Zone permits the current office use while the E-1 Zone recognizes the existing boat house and shoreline of the Bay of Quinte. However, the H-4 Zone only permits the existing use that being an undeveloped field.

As a result, an application for a Zoning By-law Amendment is being filed with the City of Belleville concurrently with the Official Plan Amendment. In essence, the rezoning of the subject lands being sought is to rezone the “H-4” lands to a commercial zone to permit the planned office expansion on the subject lands.

There is no need or request to change the existing CH-17 and E-1 Zones.

At the same time it is noted that the City of Belleville is well into the process of implementing a new comprehensive zoning by-law and on a parallel timeline as this application. Therefore we have structured our zoning request and comments as if the City’s new 2024 zoning by-law is in effect.

The nature of the requested zoning by-law amendment is the same. To change the zoning of the south end of the subject lands to permit an office use, as shown on **Figure 4**, below which is Map 161 from the proposed new zoning by-law.



 From DS – Development Special Zone to  
C3 – Regional Commercial Zone

[Note: Map above has underlying zoning shifted to the west in error. Subject property is all C3 Zone to north and DS Zone to south. Blue and yellow zoning apply to abutting property to east.]

Figure 4: Extract from Map 161 of draft 2024 Zoning By-law



The end result is that the proposed DS – Development Special Zone will be rezoned to the C3 – Regional Commercial Zone. This would put all of the subject property in one commercial zone.

Relevant zoning information required and provided for the subject property utilizing the requested C3 commercial zone is shown below on **Table 2**.

ZONING MATRIX	
SITE STATISTICS ZONE: C3 - Regional Commercial SITE AREA: 19216.5 sq. m. ( 206 845 sq. ft. ) EXISTING BUILDING AREA: 737 sq. m. ( 7933 sq. ft. ) NEW BUILDING AREA: 1183.4 sq. m. ( 12 738 sq. ft. ) LANDSCAPE AREA: 9608.8 sq. m. ( 103 428.3 sq. ft. ) ASPHALT AREA: 7687.3 sq. m. ( 82 745 sq. ft. )	
SITE BOUNDARIES DERIVED FROM PLAN OF SURVEY OF PART OF LOT 31, BROKEN FRONT CONCESSION, CITY OF BELLEVILLE (FORMERLY TOWNSHIP OF SIDNEY), COUNTY OF HASTINGS  PREPARED BY STEWART W. ALLAN LTD. ONTARIO LAND SURVEYORS SEPT. 30, 1993.  SURVEYOR TO VERIFY SETBACKS, ZONING REQUIREMENTS & EASEMENTS BEFORE SETTING-OUT FOR CONSTRUCTION.	
PROPOSED OFFICE - GROSS FLOOR AREA (GFA)	
GROUND FLOOR (NEW)	1178.9 sq. m.
SECOND FLOOR (NEW)	888.4 sq. m.
<b>TOTAL:</b>	<b>2067.3 sq. m.</b>
EXISTING OFFICE	737 sq. m.
<b>GROSS:</b>	<b>2804.3 sq. m.</b>

ZONING REGULATIONS - SECTION 4.3 C3 Regional Commercial			
MECHANISM		REQUIRED	PROVIDED
MINIMUM LOT FRONTAGE: SECTION 13.7		52.5 m	68.8 m
MINIMUM FRONT YARD DEPTH		7.5 m	25.2 m
MINIMUM REAR YARD DEPTH		7.5 m	138.3 m
MINIMUM INTERIOR SIDE YARD		4.5 m	10.4 m
MAXIMUM BUILDING HEIGHT		13.5 m	11.7 m
MAXIMUM LOT COVERAGE		50 %	10 %
MINIMUM LANDSCAPE AREA		--	50 %
AREA OF ASPHALT COVERAGE		--	40%
PARKING REQUIREMENTS - SECTION 15 Parking and Loading			
OCCUPANCY	PARKING RATE	PARKING REQUIRED	PARKING PROVIDED
OFFICE: 3704.4 sq. m.	2.3 SPACES / 100 sq. m.	86 SPACES	157 SPACES
ACCESSIBLE PARKING SPACES: 4 % OF THE TOTAL NUMBER OF PARKING SPACES		2 SPACES	6 SPACES AS PER AODA
A PARKING AREA SHALL BE SETBACK 1.5 m FROM STREET LINE		1.5 m	4.5 m
PARKING SPACE SIZE PROVISION		2.4 m x 6.0m	2.4 m x 6.0m
MIN. PARKING AISLE WIDTH		7 m	7.3 m
OFF-STREET LOADING (NEW)		1 SPACE	1 SPACE
OFF-STREET LOADING (EXIST.)		1 SPACE	1 SPACE
BIKE PARKING REQUIREMENTS			
OFFICE: 3704.4 sq. m.	1 SPACE / 1500 sq. m.	3 SPACES	10 SPACES

**Table 2: C3 Zone Analysis**

As can be seen, all requirements of the proposed C3 Zone are met or exceeded.

## 6. PLANNING OPINION AND CONCLUSION

Based on the foregoing and information contained on the application form, it is our professional planning opinion that:

The proposed planned expansion of the existing office use on the subject lands,

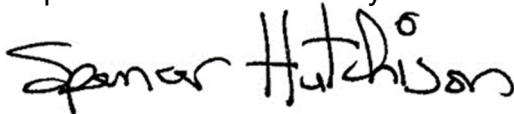
- is in conformity with the Provincial Policy Statement;
- conforms to the general policies contained with the Loyalist Secondary Plan;
- meets the zoning standards of the proposed commercial zone whether it be the CH-17 Zone under By-law 2076-80 or the C3 Zone under a new comprehensive zoning by-law;
- makes appropriate use of the land; and,
- represents good planning.

As such, the requested Official Plan Amendment and Zoning By-law Amendment are recommended for approval by the City of Belleville.

If you have any questions about this information, please do not hesitate to contact the undersigned.

## 7. REPORT SIGNATURE

Prepared and Submitted by:



Spencer Hutchison, RPP  
Senior Associate Planner  
RFA Planning Consultant Inc.



APPENDIX 1

