



Planning Brief

To: Mr. Greg Pinchin, Secretary/Treasurer
City of Belleville Committee of Adjustment
City of Belleville

From: RFA Planning Consultant Inc.

Cc: 2267178 Ontario Inc. (Wes Cawker)

Date: May 8, 2024

Re: Applications for Nine (9) Consents – Creation of 9 New Lots & a Retained Lot at 84 Cannifton Road North, City of Belleville

This memo is to summarize our planning opinion in support of nine (9) Applications for Consent for the subject property, municipally known as 84 Cannifton Road North, in the City of Belleville.

In doing so, conformity to the policies found in the Provincial Policy Statement (PPS), the City of Belleville Official Plan (2023), as well as the applicable Zoning By-law provisions for the R2 Zone of the City of Belleville Zoning By-law 2024-100.

Background

Wes Cawker, Owner of 2267178 Ontario Inc. is applying to create nine (9) new residential infill building lots. The proposed consents will result in three (3) new lots and a retained lot fronting on Cannifton Road North and six (6) new lots fronting on Lywood Street.

To achieve this, nine (9) consent applications have been filed with the City of Belleville, which are outlined in the following Section below.

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In advance of these applications for Consent, the applicant had applied for an Official Plan and Zoning By-law Amendment Application to amend the City's Official Plan and Zoning By-law to permit the proposed residential uses on the subject property.

A Public Meeting was held on May 6, 2024 by the Planning Advisory Committee to consider these two applications and no objections or comments were received at the meeting to indicate a problem with the requested changes.

The subject property is legally described as Lot 5 and Part of Lot 6, West of Centre Street, Lot 6 and Part of Lot 7, East of Front Street, Registered Plan 36, Village of Cannifton, Geographic Township of Thurlow, now in the City of Belleville, County of Hastings. The site is municipally known as 84 Cannifton Road North.

An aerial image of the subject lands and surrounding neighbourhood is attached as **APPENDIX 1**.

From the aerial imagery, it can be seen that the subject property is currently developed with a converted dwelling (2 units) and a commercial warehouse/retail building used for event tent rentals.

The site is relatively flat with a gentle slope towards the west.

Low density residential uses are located adjacent to the site to the north, west and east. There are low density residential uses and commercial uses directly to the south of the site.

Applications for Consent

As noted above, the purpose of the Consent Applications are to create nine (9) new residential lots and nine severance applications have been filed.

A summary severance sketch is attached as **APPENDIX 2**.

The table on the top of the next page illustrates the lot frontages and areas of the proposed severed and retained lands:

Proposed Lot Sizes

Lot	Frontage (m)	Depth (m)	Area (m ²)
Lot 1	13.7	40.6	556.1
Lot 2	19.7	40.5	778.9
Lot 3	13.0	40.5	526.3
Lot 4	13.0	40.4	537.2
Lot 5	10.3	40.4	407.4
Lot 6	9.8	40.5	396.6
Lot 7	9.8	40.5	397.0
Lot 8	9.8	40.5	397.2
Lot 9	9.8	40.6	397.5
Lot 10 (retained)	9.9	40.6	401.6

The proposed severed Lots 1 to 4 will have frontage on Cannifton Road North and the lands will be serviced from Cannifton Road North. The proposed severed Lots 5 to 9 and the retained parcel will have frontage on Lywood Street and will be serviced from Lywood Street.

The lots have been configured to comply with lot dimension requirements (lot frontage and area) and to comply with the setbacks for existing 2-unit converted dwelling on Lot 2 for the R2 Zone.

In doing so, it is recognized that the existing commercial building will be demolished in order for the site to accommodate future residential development and to comply with the permitted uses of the R2 Zone.

The net result, that if approved, the subject lands will contain one 2-unit converted dwelling, three single detached dwellings and six semi-detached dwellings for a total of 11 dwelling units.

Conformity to the Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) applies to all Planning Act Applications effective May 1, 2020. The PPS provides direction on matters of provincial interest related to land use planning and development. All decision related to land use

planning matters “shall be consistent” with the PPS. The applications for Consent are consistent with the PPS.

This development proposal is consistent with the 2020 PPS.

The subject property is within the defined settlement area of the municipality, which shall be the focus of growth and development (PPS Policy 1.1.3.1).

Within settlement areas, land use patterns shall be based on densities and a mix of land uses that efficiently use land and resources; and are appropriate for and efficiently use the infrastructure which is available, and avoid the need for uneconomical expansion (PPS Policy 1.1.3.2).

The lands are within the built-up area of Belleville, which is where majority of the future forecasted growth is to be accommodated. Municipal infrastructure exists and will be available to service the proposed severed lands. The site has good access onto the existing road network. The redevelopment project is an efficient use of land by intensifying an underutilized property which is surrounded by residential uses.

New development should occur adjacent to existing built-up areas and have a compact form, mix of uses and densities to allow for the efficient use of land and infrastructure (PPS Policy 1.1.3.6).

The subject lands are located within a designated urban settlement area boundary as indicated on Schedule B – Land Use Plan – Urban Serviced Area of the City of Belleville Official Plan and are in an area of predominantly residential land uses adjacent to the property.

An appropriate range of housing options and densities to meet the requirements of current and future residents is to be provided (PPS Policy 1.4.3). This proposed project intends to provide additional housing in the form of single detached dwelling units and semi-detached dwelling units which will help meet the needs of current and future residents at a density that is compatible with the surrounding neighbourhood.

The proposed development is consistent with Section 1.6 of the PPS, as it will optimize the use of existing infrastructure, and be serviced with municipal sewage and water service, which is the preferred form of servicing for settlement areas (PPS Policy 1.6.6.2). Stormwater will have a negligible increase in the quantity or quality of discharge from the pre-development site to the post-development site. No stormwater management feature is required to ensure appropriate management of water quality and quantity (PPS Policy 1.6.6.7).

Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods and are appropriate to address projected needs (PPS Policy 1.6.7.1).

Connectivity within and among transportation system should be maintained and improved (PPS Policy 1.6.7.3). The existing roads and sidewalks will not be altered, and will continue to connect into the existing transportation networks. Developments shall support energy efficiency and conservation (PPS Policy 1.8.1).

Energy efficiencies will be realized during construction as per Ontario Building Code standards.

Conformity to the City of Belleville Official Plan (2023)

The City of Belleville adopted their new Official Plan on November 8, 2021 and was approved subject to modifications by the Minister of Municipal Affairs and Housing on April 11, 2023. The subject property is designated as “Commercial Land Use” on Schedule B – Land Use Plan – Urban Serviced Area.

An application for Official Plan Amendment has been submitted to the City of Belleville to amend the Official Plan designation from “Commercial Land Use” to “Residential Land Use”. It is anticipated that a condition of consent approval would be that the associated Official Plan Amendment Application is approved and all means for appeal exhausted.

The relevant Official Plan policies are provided below and are identified in italics.

Planning comments are provided directly below and are identified by bullet point.

Policies that have been paraphrased are not italicized.

This development proposal conforms to the policies of the City of Belleville’s Official Plan (2023) for the Residential Land Use designation.

Section 3.10.1 Permitted Uses

Residential development will be permitted at low, medium and high densities with forms ranging from one unit dwellings to various types multiple unit dwellings, under various forms of tenure (freehold, rental, cooperative, condominium). Specialized housing such as group homes and long-term care homes will also be permitted.

The proposed residential development is a permitted use in the City’s Official Plan.

Section 3.10.2 Residential Policies

- a) *Residential development within areas designated Residential land use should be permitted to occur at various densities within the City to ensure a full range of housing forms at different sizes and styles including market-based and affordable housing that meets the needs of all citizens is provided. The densities that are supported by this Plan are as follows:*
- i. *Low density residential uses would normally include one unit dwellings, developed up to 25 units per hectare net residential density¹.*
- f) *Low density residential developments should be permitted in all areas designated residential land use except in locations where low density uses would not be appropriate. The following principles should be employed by Council to determine the preferred locations for low density residential uses:*
- i. *Low density residential uses should not be permitted in any area where access to the roadway from individual driveways would create a traffic hazard.*
 - ii. *Low density residential uses should not be permitted in any area where the impact of adjoining non-residential uses would be excessively disruptive to the quiet enjoyment of the low density residential development.*
 - iii. *Low density residential uses are appropriate along arterial streets, but where there is concern about safe and/or efficient traffic movement along the arterial street, or where there is concern of unacceptable impacts on the low density residential development, use of reverse fronting lots should be considered, or where necessary development should be limited to medium or high density residential uses.*

The proposed low density use of the subject lands is permitted by the Official Plan.

Section 7.2.1 Policies Respecting Subdivision of Land Applicable to All Land Use Designations

- a) *When any application to subdivide land is considered, the approval authority should employ the following policies and principles:*
- i. *No subdivision of land should be approved which would contravene the policies of this Plan.*
 - ii. *The approval authority should be satisfied all development parcels would be appropriate (i.e. sufficient frontage and area, configuration, alignment) for their intended uses.*

- iii. *No subdivision of land should be granted which would result in any landlocked parcel being created.*
- iv. *New development parcels should not be created where an entrance permit cannot be issued due to site deficiencies or traffic safety concerns.*
- v. *New development parcels that require new private level crossings should be discouraged.*
- vi. *Development parcels should have direct access to an open municipal road (excluding individual units within condominium developments).*
- vii. *New development parcels should not be created without access to services adequate to meet the needs of the use anticipated for the lot, including access to fire and police services, hydro, telephone and other utilities.*
- viii. *New development parcels should not be created in residential neighbourhoods where the proposed lot size and/or configuration is not similar in scale to its surroundings and the proposed architectural design is not in keeping with the character of the area.*
- ix. *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.*
- x. *No development parcel should be created such that buildings, structures or private services would have to be located in very close proximity to or within areas of natural heritage or hazard; where any lot includes lands designated Environmental Protection, there should be sufficient area outside such areas to accommodate buildings, sewage disposal systems and accessory uses with appropriate setbacks.*
- xi. *Development parcels for residential uses should be located an appropriate distance from designated aggregate resource areas.*
- xii. *No development parcel should be created which would create a hazard to any person using the lot, adjoining lands, or an abutting road.*
- xiii. *Where approvals or certificates are required from other agencies or government departments (i.e. access permit from the Ministry of Transportation), no subdivision of land should be granted unless such approvals or certificates are first obtained or otherwise assured.*
- xiv. *Subdivision of land adjacent to a provincial highway should be designed such that the lots back onto the provincial highway and front onto a local internal street.*
- xv. *The approval authority may impose any conditions to the subdivision of land that it believes are necessary and prudent to ensure the policies of this Plan are addressed adequately, which may include but not necessarily be restricted to:*

- *laying out and naming of roads and the provision of road widenings;*
 - *installation or upgrading of municipal services (i.e. sewers, water lines, streets, curbs and sidewalks, street lights) and private utilities;*
 - *establishment of stormwater management facilities;*
 - *provision of open space, including trails and pedestrian links;*
 - *allocation of sufficient lands for community facilities (i.e. schools);*
 - *completing studies to address issues such as noise attenuation, traffic and traffic control, servicing capacity, soil conditions and archaeological remains;*
 - *heritage impact assessments; and*
 - *establishment of appropriate land use controls.*
- xvi. *Conditions of the approval authority to the granting of any subdivision of land may be secured through execution of agreements and posting of securities.*
- xvii. *Lands proposed to be dedicated to the Municipality for park or other public recreational purposes must be acceptable for use as open space; Council retains the option to require cash-in-lieu of the provision of land for open space.*
- xviii. *When reviewing subdivision proposals, consideration should be given to the need for commercial uses to service the proposed neighbourhood.*
- xix. *The minimum distance separation formulae will apply to the creation of lots within the rural area.*
- xx. *The creation of new lots shall only be permitted if there is confirmation of sufficient reserve servicing capacity in the municipal sewage system and water system or private communal sewage system and water system. The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services.*

The development proposal outlined in the nine consent applications is in conformity with all applicable polices of Section 7.2.1 of the Official Plan, as listed above.

Section 7.2.2 Plans of Subdivision vs. Consents

- b) *Subject to policies pertaining to specific land use designations set out in other paragraphs of this Section, the consent approval process should be employed to accommodate the subdivision of land whenever:*
- *there is no new municipal road being created by the division of land;*
 - *the number of development parcels being created is generally five or less; and*
 - *there are no significant concerns respecting environmental issues or servicing capacities.*

Consents that create more than five development parcels may be considered where there would be insufficient justification to employing the plan of subdivision process to address issues (i.e. creating separate lots within a townhouse dwelling development which has been previously approved through other procedures).

The consent process should also be employed to deal with technical issues with regard to land titles and lot line adjustments.

The Consent applications conform to Section 7.2.2(b) of the Official Plan. A Plan of Subdivision is not warranted because there are no new municipal roads being created, there are no significant concerns respecting environmental issues or servicing capacities. The number of proposed new lots is nine (9) and there is not enough justification to warrant a plan of subdivision as all technical requirements can be satisfied through conditions of consent.

Section 7.16 Residential and Non-Residential Intensification

- a) *This Plan supports compatible housing intensification and infill development, such as:*
- *accessory dwelling units or conversions of large residential structures to mixed use in appropriate areas;*
 - *infilling on existing lots of record and maximizing use of underutilized lots;*
 - *subdivision of oversized residential lots;*
 - *conversion of upper floors above commercial uses in the City Centre to residential use;*
 - *conversion of a portion of first floor commercial uses, that is not streetfacing, in the City Centre to residential uses;*
 - *establishment of boarding houses in neighbourhoods of mixed land uses; and*
 - *conversion of non-residential buildings to residential use in appropriate areas.*
- b) *Infill development is considered a form of intensification and is encouraged on underutilized sites.*
- c) *Additional Intensification Areas, as shown on Appendix A, indicate areas where residential and non-residential intensification will be focused outside of the City Centre, and where greater densities of residential development may be permitted. Intensification may also be permitted on sites which are consistent with the Provincial Policy Statement's definition of intensification, consistent with the policies of this Plan, and are aligned with the intensification targets included in Section 2 of this Plan.*
- d) *The Municipality will consider the impact of intensification on the character of existing neighbourhoods, along with the availability and adequacy of existing*

- municipal infrastructure to service the increased density, in accordance with Section 5.3. Intensification areas shall be subject to site plan control, in accordance with Section 8.2, to ensure that the design of new intensification sites, including building massing and design, relationship to surrounding uses, site access, landscaping and grading, servicing etc. are context-appropriate.*
- e) This Plan encourages the development of Intensification Design Guidelines, in consultation with the public, stakeholders and Indigenous communities to provide direction regarding the compatibility of intensification, including consideration for massing and design, the relationship to adjacent land uses, site access, landscaping and grading, servicing, as well as the transition areas between intensification sites and existing neighbourhoods.*
 - f) This Plan encourages the intensification of commercial areas, such as Bay View Mall and Quinte Mall, as mixed use areas, subject to the Secondary Plan policies of Section 8.12, where the redevelopment is consistent with other vision and policies set out in this Plan.*
 - g) The Zoning By-law shall prescribe a minimum density for sites that represent the best opportunities for the City to achieve its intensification targets. When a proposed development does not comply with the minimum density prescribed in the Zoning By-law, the proponent shall provide an analysis through a planning justification report to support the Official Plan Amendment and zoning by-law amendment.*
 - h) This Plan encourages the consolidation of small lots into larger more efficient development parcels in order to create parcels of a size that more easily and effectively enable intensification through redevelopment*

The proposed Consents will result in the creation of nine (9) new compatible lots within an existing residential area of the City, resulting in intensification from the redevelopment of an existing oversized and underutilized lot within the City. The proposed Consents will result in compatible intensification which is encouraged in the City's Official Plan. The Consent application will conform to Section 7.16 (Intensification Policies) of the City's Official Plan.

The Consent Applications, to create nine (9) new residential lots within the City's Urban Area conform to the policies of the City's Official Plan.

Conformity to the City of Belleville Zoning By-law 2024-100

According to the City of Belleville Zoning By-law 2024-100, the subject lands are zoned as Community Commercial - C2 Zone as per Map 82.

An application for Zoning By-law Amendment has been submitted in advance of these applications for Consent. The Zoning By-law Amendment Application has

proposed to rezone the subject property from the Community Commercial (C2) Zone to the Residential Type 2 (R2) Zone. It is understood that a condition of consent shall be that the Zoning By-law Amendment is approved.

The Residential Type 2 (R2) Zone permits a number of residential uses such as a single detached dwelling, semi-detached dwelling townhouse dwelling, back-to-back townhouse dwellings, stacked townhouse dwellings and a low-rise multi unit dwelling for example.

The R2 Zone permits site specific lot areas, frontages and includes site specific regulations for development (i.e. setbacks and lot coverage). For a one unit detached dwelling, the R2 requires a minimum lot area of 340 sq. metres and a minimum lot frontage of 11.0 metres. For a one unit semi detached dwelling, the R2 requires a minimum lot area of 275 sq. metres and a minimum lot frontage of 8.0 metres.

The proposed severed and retained lands will comply with the minimum lot frontage and area requirements of the Residential Type 2 (R2) Zone. Any new residential dwellings will need to comply with the R2 Zone provisions for development regulations. The proposed severed and retained lands are configured sufficiently to permit future residential dwellings that will comply with the required setbacks.

It is our professional opinion that the nine (9) consent applications applied for, will comply with the City of Belleville's Zoning By-law and specifically the R2 Zone.

Technical Studies

In support of the proposed development and previous applications for Official Plan & Zoning By-law Amendment, technical studies had been prepared to address the conversion of this property from commercial to residential and to support this redevelopment.

A Servicing Brief was conducted by WSE Consulting Inc. (May 24, 2022) to review the traffic, water and waste water servicing and storm water management for the development. The brief noted that appropriate sight lines were available for entrances on both Cannifton Road North and Lywood Street. The lots will connect into the existing municipal water supply and sufficient capacity if available within the system to accommodate the proposed lots. Storm water management for quantity

and quality control is not required given that the anticipated impervious cover will remain at generally the same percentage as currently exists on site.

The Servicing Brief recommended that the existing grading pattern be generally maintained. There is an existing ditch inlet located at the southwest corner of the site that captures all runoff from the property and discharges it into the existing storm sewer system on Cannifton Road North. It is recommended that a common rear yard swale be installed along the entire length of the proposed lots draining to the southern limits and continued along the southern limit of the southern single lot to the ditch inlet. The existing ditch along Lywood Street should be maintained and entrance culverts installed for each driveway.

A Phase One and Phase Two Environmental Site Assessment was conducted by Blumetric Environmental (February 13, 2023 and June 12, 2023). The phase two environmental assessment investigation included monitoring wells, boreholes and test pits to determine whether or not any contamination was found on site. The assessment indicated that there were not impacts found to be present in soil or ground water on the property. There are no contaminants of concern in the soil or ground water.

No remediation or risk management is recommended for the property.

Planning Opinion and Conclusion

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


The creation of nine (9) new residential infill lots by means of nine (9) Consent Applications for the subject lands:

- Is consistent with the Provincial Policy Statement;
- Conforms to the policies contained with the City of Belleville Official Plan (2023);
- Meets the zoning standards of the R2 – Residential Type 2 Zone;
- Makes appropriate use of the land to be subdivided; and,
- Represents good planning.

These applications for Consent have been submitted concurrently with applications for an Official Plan Amendment and Zoning By-law Amendment. It is understood that as a condition of Consent, appropriate conditions relating to the approval of the Official Plan and Zoning By-law Amendment are necessary.

In closing, if you have any questions about this information, please do not hesitate to contact me.

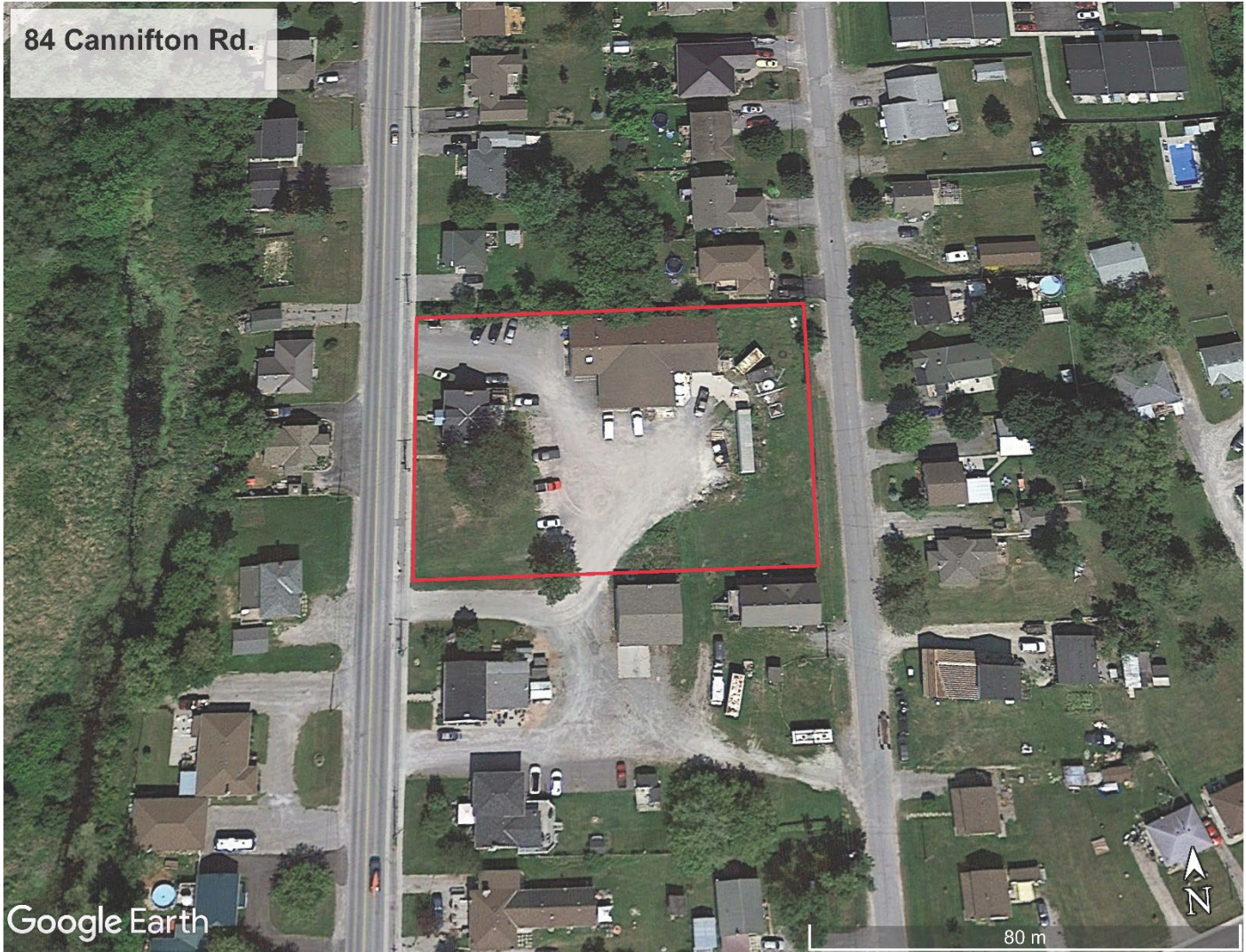
Yours truly,



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

APPENDIX 1

Air photo of Subject Property



APPENDIX 2

Severance Sketch of Subject Property

