CITY OF BELLEVILLE
Andrew Chan, Policy Planner
Engineering and Development Services Department
Report No. PP-2020-10
February 3, 2020

To: Belleville Planning Advisory Committee

Subject: Notice of Complete Application and Introductory Public Meeting for Application for Proposed Amendment to Zoning By-Law 10245 RE: 219 & 225 Dundas Street East
City of Belleville
OWNER/APPLICANT: Fixed Fur Life, David & Darlene Quinsey
AGENT: Keith Watson OLS, Watson Land Surveyors

File: B-77-1099

Recommendation:

That Report No. PP-2020-06 dated February 3, 2020 regarding Proposed Amendment to Zoning By-Law Number 10245, as Amended – 219 & 225 Dundas Street East, City of Belleville, County of Hastings be received as information, and;

That Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department.

Background:

A rezoning application for 219 & 225 Dundas Street East was received on December 12, 2019. The application proposes to rezone the subject land as a condition of consent application B24/19. The subject land and existing zoning is identified on the attached Location Map (Attachment #1).

The application proposes to rezone the subject land from Highway Commercial (C3) Zone to General Commercial (C2) Zone and Highway Commercial (C3) Zone with special provisions for yard setbacks and lot frontage requirements. The proposed zoning is shown on the Proposed Zoning Map (Attachment #2).

Currently, the severed parcel contains a single detached dwelling and the retained portion has an office for the charitable organization Fixed Fur Life.
The Applicant intends to continue the existing uses on the severed and retained parcels.

On December 19, 2019, the Committee of Adjustment gave consent to sever the property with conditions that both the retained and severed parcels are to be rezoned appropriately for necessary zoning relief, provide sufficient parking, and have a shared right of way.

The initial public meeting is held in accordance with the requirements of the Planning Act. The purpose of this meeting is for Committee Members to formally hear and receive public comments. The intent of this statutory public planning meeting is to receive public feedback and incorporate it into a recommendation report from staff.

Site details for the subject land:

<table>
<thead>
<tr>
<th>Site Review</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Site Location</strong></td>
<td>The subject land is municipally known as 219 &amp; 225 Dundas Street East and located south of Dundas Street East, east of South Foster Avenue, and west of First Street</td>
</tr>
<tr>
<td><strong>Site Size</strong></td>
<td>Severed: 1214 metres squared Retained: 1619 metres squared</td>
</tr>
<tr>
<td><strong>Frontage</strong></td>
<td>Severed: 16.2 metres Retained: 22.1 metres</td>
</tr>
<tr>
<td><strong>Present Use</strong></td>
<td>Severed: Single detached dwelling Retained: Fixed Fur Life Office</td>
</tr>
<tr>
<td><strong>Proposed Use</strong></td>
<td>Severed: Single detached dwelling Retained: Fixed Fur Life Office</td>
</tr>
<tr>
<td><strong>Official Plan Designation</strong></td>
<td>Commercial</td>
</tr>
<tr>
<td><strong>Present Zone Category</strong></td>
<td>C3 – Highway Commercial</td>
</tr>
<tr>
<td><strong>Proposed Zone Category</strong></td>
<td>Severed: C2 – General Commercial Zone with special provisions Retained: C3 – Highway Commercial Zone with special provisions</td>
</tr>
<tr>
<td><strong>Land uses to the north</strong></td>
<td>Office</td>
</tr>
<tr>
<td><strong>Land uses to the east</strong></td>
<td>Vaccine manufacturer</td>
</tr>
<tr>
<td><strong>Land uses to the south</strong></td>
<td>Vaccine manufacturer</td>
</tr>
<tr>
<td><strong>Land uses to the west</strong></td>
<td>Residential dwelling</td>
</tr>
</tbody>
</table>

In support of the application, the following was submitted:

- A sketch of the shared right of way and parking.

This document is included with this report as Attachment #3 and has been available for public review at the Planning Department.

**Proposal**

The Applicant proposes to rezone the subject lands from Highway
Commercial (C3) Zone as a condition of consent application B24/19. As a result of the consent to sever, both the severed and retained parcels are deficient of lot frontage. The Applicant intends to continue the existing uses on the severed and retained parcels.

The severed parcel contains a single detached dwelling which is considered legal non-conforming under the current zoning. The severed parcel is proposed to be rezoned to General Commercial (C2) Zone with special provisions to add a minimum frontage requirement and yard setbacks to the C2 Zone that match the severed parcel frontage and are consistent with the neighbouring C3 Zone setbacks. There is no minimum lot frontage and the yard setbacks for the standard C2 Zone are nil which would not be consistent with the surrounding area.

The existing use of the severed parcel would remain legal non-conforming; however, future redevelopment of the property would need to meet the new zone provisions. By rezoning to C2 Zone instead of C3 Zone, the owner has the potential to redevelop the property as a mixed use development with ground floor commercial and residential above.

The retained parcel is proposed to be rezoned as Highway Commercial (C3) Zone with special provisions to reduce the frontage requirement and side yard setback. The existing office use is a permitted use under the C3 Zone; however, the building is legal non-conforming as it does not meet all of the C3 Zone setback provisions. A reduced side yard setback is proposed as future redevelopment of the parcel would be otherwise limited due to the reduced lot width.

Staff note that the existing building on the retained parcel encroaches into the Dundas Street East road right-of-way, and therefore, would remain legal non-conforming and requires an encroachment agreement with the City.

**Provincial Policy Statement**

Municipalities are required to ensure all decisions related to land use planning matters shall be consistent with the Provincial Policy Statement.

Planning Staff will consider the following policies in the PPS:

1.1.1 Healthy, livable and safe communities are sustained by:

   a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

   b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older
persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

c) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

d) ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs; and

e) promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.

1.7.1 Long-term economic prosperity should be supported by:

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

**Official Plan**

The current Official Plan was adopted by City Council on June 18, 2001 and approved by the Ministry of Municipal Affairs and Housing on January 7, 2002. Since 2002, a significant number of new and updated policies and legislation has occurred at the provincial level. The City is currently undertaking a Municipal Comprehensive Review and update to the policies of the Official Plan to ensure they comply with current provincial policies and legislation. The City will have to comply with the province’s new legislation, regulations, and policies when updating the Official Plan.

Planning Staff will use the policies within the Official Plan to make a recommendation. The land is designated "Commercial" in the City’s Official Plan (Attachment #4 – Official Plan Designation Map).

The Official Plan states that commercial land uses are dependent upon vehicular access. The property should have sufficient on-site parking that is integrated to ensure safe movement of vehicular and pedestrian traffic. Parking lots should be enhanced through appropriate landscaping and lighting, which should ensure public safety, oriented away from nearby residential properties and not interfere with visibility on public streets.

The subject land specifically falls within the Bayview Mall/Dundas Street East Corridor, which is identified as lands along Dundas Street East from the City Centre to Haig Road. Land uses in this corridor should generally be geared to service the community. Permitted uses include motels/hotels, conference facilities, restaurants, retail stores, personal service uses, automotive service
uses, business, professional and administrative offices, recreational uses, places of entertainment, private clubs, theatres, community facilities, and all types of commercial services and parking lots. Additionally, commercial uses in the corridor should minimize adverse impacts on adjacent residential land uses.

The subject land also is within the Bayshore Planning Special Policy Area. To increase the recreational potential, the uses that are encouraged in this special policy area include open spaces, and compatible commercial, public facility and residential land uses. Development should be sensitive to issues of urban design, environmental conditions and the area’s setting along the shores of the Bay of Quinte.

**Zoning By-law**

The subject land is currently zoned Highway Commercial (C3) Zone under Zoning By-Law 10245. The application proposes to rezone the subject land to General Commercial (C2) Zone and Highway Commercial (C3) Zone with special provisions for yard setbacks and lot frontage. The proposed zoning in comparison to the standard zone provisions of the C2 and C3 Zones is found in the table below:

<table>
<thead>
<tr>
<th>Provision (minimums)</th>
<th>C2 Zone (existing)</th>
<th>C3 Zone (proposed)</th>
<th>C2-X Zone (proposed)</th>
<th>C3-X Zone (proposed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Frontage</td>
<td>N/A</td>
<td>30.0 m</td>
<td>16.0 m</td>
<td>22.0 m</td>
</tr>
<tr>
<td>Front Yard Depth</td>
<td>Nil</td>
<td>12.0 m</td>
<td>12.0 m</td>
<td>12.0 m</td>
</tr>
<tr>
<td>Rear Yard Depth</td>
<td>Nil, except 7.5 m</td>
<td>7.5 m</td>
<td>7.5 m</td>
<td>7.5 m</td>
</tr>
<tr>
<td>if abutting residential zone</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interior Side Yard Width</td>
<td>Nil, except 7.5 m</td>
<td>4.5 m (7.5 m if</td>
<td>3.0 m</td>
<td>3.0 m</td>
</tr>
<tr>
<td>if abutting residential zone</td>
<td></td>
<td>abutting</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>residential zone</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Severed Parcel**

The severed parcel contains a single detached dwelling which is considered legal non-conforming under the current zoning. The severed parcel is proposed to be rezoned to General Commercial (C2) Zone with special provisions to add lot frontage and yard setbacks to the C2 Zone that are consistent with the neighbouring C3 Zones. The minimum yard setbacks for the standard C2 Zone are nil and there is no lot frontage requirement. This is consistent with the downtown area but would not be consistent with the surrounding area of the subject land.

The proposed lot frontage would match the frontage of the severed parcel. The proposed front and rear yard setback depths would match that of the C3 Zone. The proposed interior side yard would be 3.0 metres which would provide sufficient room to build based on the overall width of the lot.
The existing use would remain legal non-conforming; however, future redevelopment of the property would need to meet the new zone provisions. By rezoning to C2 Zone instead of C3 Zone, the owner has the potential to redevelop the property as a mixed use development with ground floor commercial and residential above.

Retained Parcel

The retained parcel is proposed to be rezoned as Highway Commercial (C3) Zone with special provisions to reduce the frontage requirement and side yard setback.

The existing building is legal non-conforming as it does not meet all of the C3 Zone setback provisions. A reduced side yard setback of 3.0 metres is proposed as future redevelopment of the parcel would be otherwise limited due to the reduced lot width.

A 22 metre minimum lot frontage is proposed to match the width of the retained parcel.

The Highway Commercial (C3) Zone lists “Business, professional, administrative and/or government office” as a permitted use. The owners of Fixed Fur Life intend to continue using the existing office space with no on-site animal shelter and veterinarian services.

Public Comments

On January 10, 2020 a written notice and location map was mailed by first class mail to all registered owners of land within 120 metres of the subject property. The notice provided information that a public meeting was scheduled for February 3, 2020.

Similarly, a sign was placed on the subject lands notifying the general public that a public meeting was scheduled for February 3, 2020.

Both notices state that additional information is available in the City’s planning files for review by any member of the public during business hours.

At the time of writing this report, no correspondence from the public has been received by the City.

Staff and Agency Comments

External Agency Circulation

The subject application was circulated for comment to the Algonquin &
Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Hastings and Prince Edward Health Unit, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Veridian Connections, Hydro One, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines, MPAC, Quinte Conservation and the Health Unit.

At the time of writing this report, no comments or concerns have been received regarding this application.

Internal Department Circulation

The subject application was circulated for comment to the Belleville Fire Department, Belleville Police Service, the Development Engineer, the General Manager of Transportation & Operations Department, General Manager of Environmental Services, the Director of Recreation, Culture and Community Services, the Manager of Parks & Open Spaces, the Chief Administrative Officer, the Manager of Economic & Strategic Initiatives, the City Clerk, and the Chief Building Official.

Belleville Environmental Services, Transportation & Operations Department, and Recreation, Culture and Community Services have provided they have no objections to the application.

At the time of writing this report, no other comments have been received regarding this application.

Considerations:

Public

Circulation to the public complies with the requirements of the Planning Act, R.S.O. 1990.

Financial

The fees of the application have been received by the City.

Impact on and input from other Departments/Sources

Circulation of this application to other departments/agencies has occurred.

Strategic Plan Alignment

The City of Belleville’s Strategic Plan identifies nine strategic themes including Industrial and Commercial Development.

Strategic objectives of the Industrial and Commercial Development theme
include:

- Ensure suitable serviced employment lands are available to meet the needs of all potential industrial and commercial investments
- Market the City’s unique strengths to attract leading-edge industries that provide high paying job opportunities
- Encourage remediation and redevelopment of underutilized lands
- Support initiatives that create an available skilled labour force, including programs to retain youth in the community

**Conclusion:**

Comments received at this public meeting, as well as subsequent written comments will be considered by the Engineering and Development Services Department in analysis of the application received to amend the City of Belleville Zoning By-law 10245. A recommendation report will be brought forward upon receipt of all agency and public comments.

Respectfully submitted,

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Andrew Chan, BES
Policy Planner, Policy Planning
Engineering and Development Services Department

**Attachments**

- Attachment #1 – Location Map and Existing Zoning
- Attachment #2 – Proposed Zoning Map
- Attachment #3 – A sketch of the shared right of way and parking
- Attachment #4 – Official Plan Designation Map
Attachment #2 – Proposed Zoning Map

PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 219 & 225 DUNDAS ST E

- SUBJECT LANDS
- PROPOSED ZONING CHANGE TO C2 (GENERAL COMMERCIAL) * WITH SPECIAL PROVISIONS
- PROPOSED ZONING CHANGE TO C3 (HIGHWAY RESIDENTIAL) * WITH SPECIAL PROVISIONS

CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT

B-77-1099
Attachment #3 – A sketch of the shared right of way and parking
Attachment #4 – Official Plan Designation Map

LOCATION MAP
LAND USE

LOCATION: 219 & 225 DUNDAS ST E

- SUBJECT LANDS