

Memo



To: Thomas Deming, Acting Manager of Policy Planning, City of Belleville
From: Rory Baksh, RPP; Megan Reddy
Date: October 13, 2022
Subject: Fairgrounds Official Plan and Zoning By-law Amendments – Planning Rationale
Our File: 22-3920

1.0 Introduction

Dillon Consulting Limited ('Dillon') has been retained by the City of Belleville ('the City') to provide a planning rationale including both an Official Plan Amendment and a Zoning By-law Amendment for the new fairgrounds site.

We understand that the subject property (refer to **Figure 1** for a location map) is owned by the City and the eastern portion of the site (refer to **Figure 2** for fairgrounds site) is to be operated by Belleville Agricultural Society. The purpose of this rationale is to conduct an overview of the subject property and the proposed development to:

- Understand the site context, legal permissibility, and any identifiable constraints;
- Provide an Official Plan Amendment to redesignate the land; and,
- Provide a Zoning By-law Amendment to permit the proposed development.

2.0 Analysis

The snapshot analysis for the subject property focuses on its geographic context and legal permissibility. We have reviewed the subject property based on these parameters:

- Geographic context – A review of the geographic (or spatial) context of the subject property and the proposed development; and,
- Legal permissibility – A review of the land use and zoning regulations in the Official Plan, 2002 as amended¹ ('OP') and Zoning Bylaw 3014² ('ZBL'), respectively, for the subject property.

The following subsections provide further detail on these two parameters.

¹ Retrieved from: <https://www.belleville.ca/en/do-business/resources/Documents/Planning-Docs/2002-OP---TO-DATE-WITH-AMENDMENTS-December-3-2021.pdf>

² Retrieved from: <https://www.belleville.ca/en/do-business/resources/Documents/Planning-Docs/Thurlow-Zoning-By-law-No.-3014--March-11-2022.pdf>

2.1

Geographic Context

The subject property (**Figure 1**) is an approximate 29 hectare (approximate 71 acre) parcel of land that is bounded by Highway 37 and Black Diamond Road. Based on a review of aerial photography, it appears that the site is immediately bordered to the north by mostly agricultural land, to the south by service commercial and agricultural processing and vacant land, and to the east by a stockpiling operation.

Figure 1: Location Map of the Fairgrounds Property (red dashed outline)



2.1.1

Existing Transportation

The subject property is well connected to other parts of the city by vehicular access, as it is bounded by Highway 37. It is in proximity to Black Diamond Road but the street does not currently extend fully to provide access to the property.

With regard to active transportation (i.e., walking, cycling, transit), Highway 37 and Black Diamond Road do not have sidewalks on either side. There is no immediate transit service; the nearest Belleville Transit is Route 9 that runs on Canifton Road.

Proposed Development

The following figures provide detail on the proposed site plan of the proposed fairgrounds.

Figure 2: Fairgrounds Proposed Extent

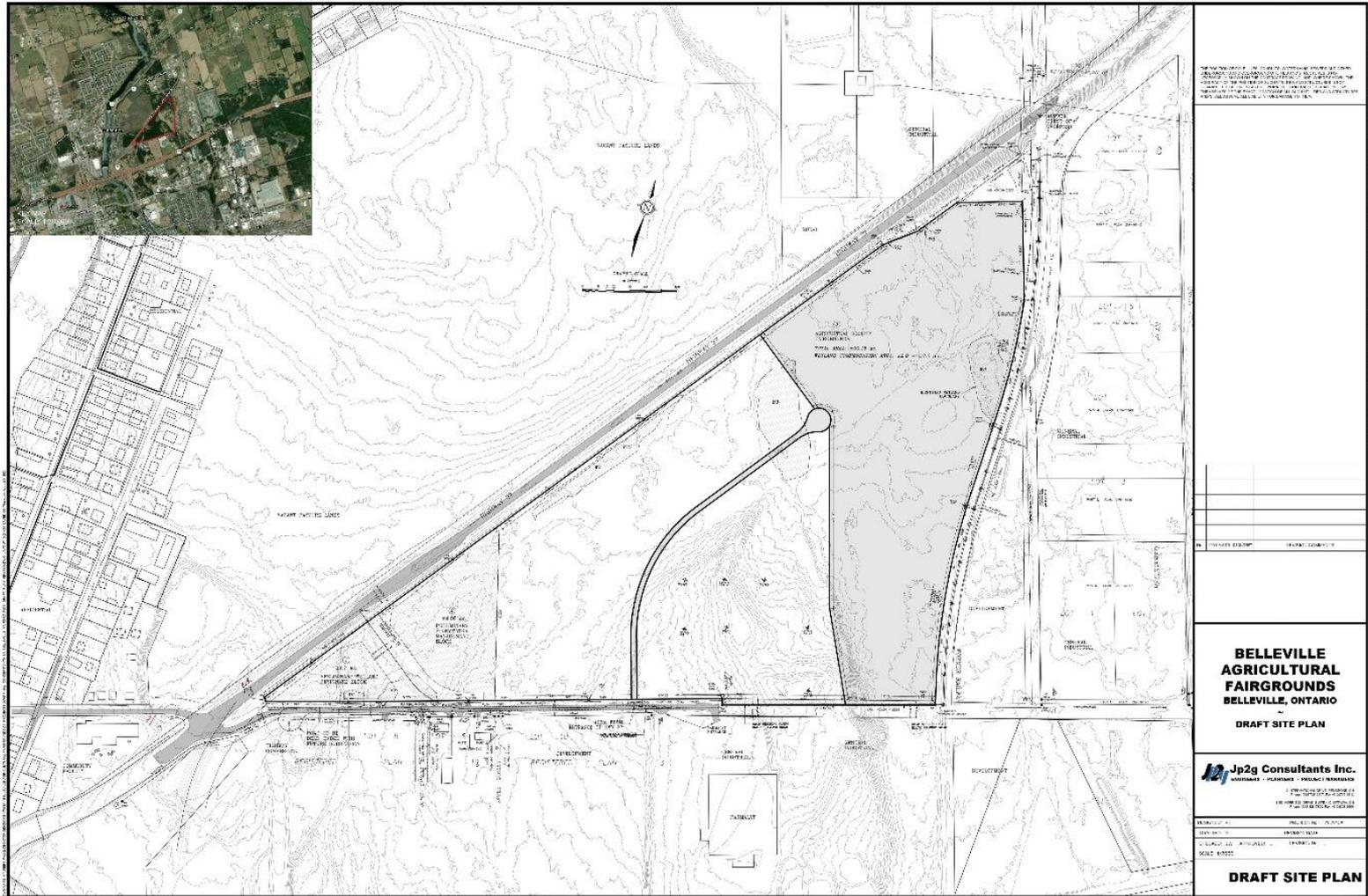
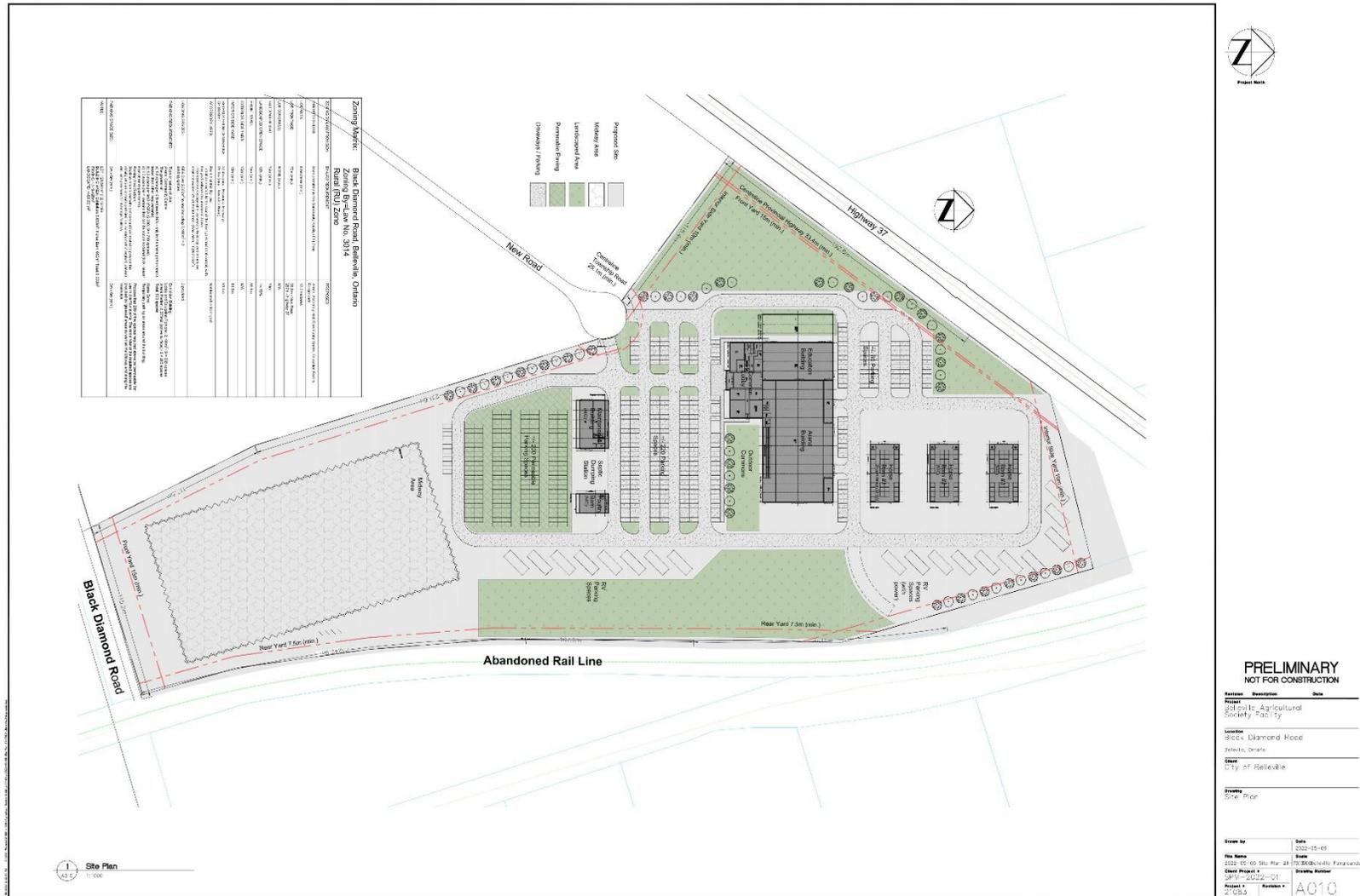


Figure 3: Detail Draft Site Plan with Zoning Matrix



2.1.3 Proposed Site Plan for the Fairgrounds

The site plan for the new fairgrounds includes: main fairgrounds building consisting of a common lobby connecting to an arena area and education area; a maintenance building; three horse barns; a poultry barn; large asphalted parking areas; parking area on permeable surface; RV parking; an area for a midway; and, various landscaping through the site.

2.2 Legal Permissibility

The subject property is currently designated Industrial land use on Schedule 'B' of the currently in-force OP. It does not appear that the fairgrounds use is contemplated within this designation.

There are two zoning categories applicable on the property; on the west side it is zoned Development Zone (D) and on the east side it is zoned Rural (RU) in the former Township of Thurlow ZBL (By-law 3014). Neither the D Zone nor the RU Zone permit the future employment use; however, the RU Zone would allow for the fairgrounds use because Section 6.20.1.2.7 allows for "uses permitted in the Community (CF) Zone." In Section 6.18.1.2.10, the ZBL lists "fairgrounds" as a permitted use in the CF zone.

We also understand that the subject property falls within the City's Urban Serviced Area under the 2021 adopted, but yet-to-be-approved Official Plan (New OP). Within the New OP, the land is designated as Employment land use. The New OP has additional policies beyond the current OP that allow for "complementary uses". Given that fairgrounds operate primarily as a convention space, and a convention use is considered complementary to the function of employment uses, then the New OP does accommodate the new fairgrounds in its policies. However, it is uncertain when the New OP will be approved by the Minister, so it is difficult to determine when the New OP will come into effect.

We further understand that the City is in the midst of a new Zoning By-law project. However, it is unlikely that the timing of the new Zoning By-law project will facilitate the re-zoning needed to support the development of the new fairgrounds.

Given its current designation and zoning that is not fully aligned to the proposed development, and the uncertain timing of the New OP's approval and new Zoning By-law, then the subject property will need to be redesignated and rezoned to facilitate its development for employment and fairgrounds uses.

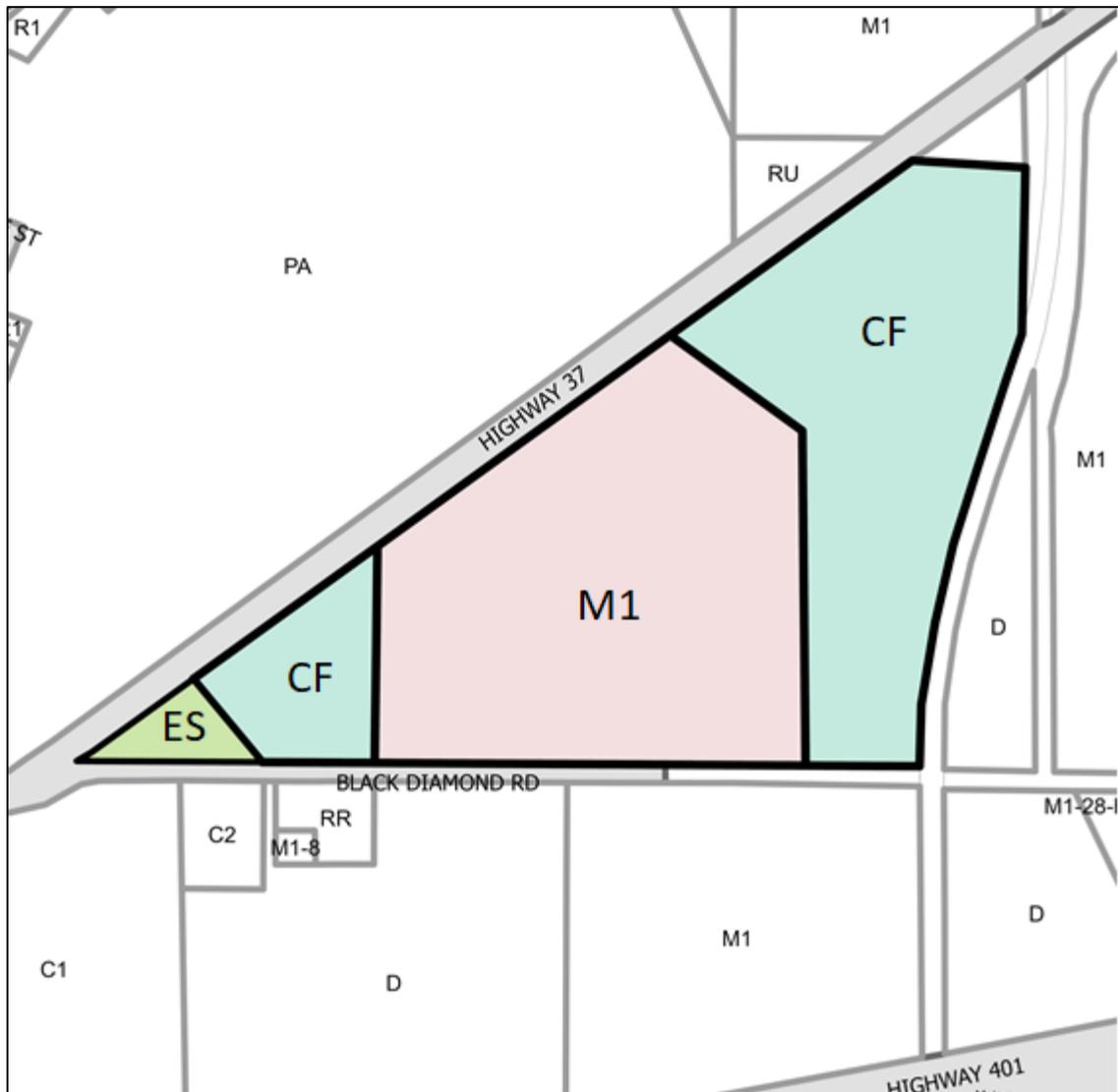
2.2.1 Recommended Pathway to Legal Permissibility

Given that the New OP would allow for the fairgrounds as a complementary use in the Employment designation but the current OP does not under the Industrial designation, it is recommended that the current OP be amended to acknowledge the proposed fairgrounds as a complementary use with site-specific policy.

Regarding the Zoning By-law, the current D zoning will need to be amended to an appropriate industrial zone to facilitate the employment uses on the property (see lands marked "M1" in **Figure 4**). Given that

the lands may be intended for office and similar uses, a site-specific provision is needed since offices are not allowed in any of the current industrial zones of the Thurlow Zoning By-law 3014.

Figure 4: Proposed Rezoning of Site



While the fairgrounds are permitted under the RU zoning, it is unusual for a rural zone to be applied within the urban settlement boundary of a municipality for a development on municipal water and sewer, so it is recommended that the fairgrounds portion of the site be placed into the Community Facility (CF) Zone (see **Figure 4**).

Additionally, there is a proposed stormwater management facility on the western portion of the site. It is proposed that these lands also be placed into the Community Facility (CF) Zone as the zone allows for a “public use” (Section 6.18.1.2.24) which is synonymous with public infrastructure such as a stormwater management facility.

The westernmost corner of the site is proposed to be placed into the Environmental Sensitive (ES) Zone, which only allows for conservation uses. It appears that this area may be part of a natural feature and should be protected.

2.2.2 Zoning Matrix for the Fairgrounds

As noted above, it is recommended that the fairgrounds be placed into the CF zone. To understand if any performance standards need to be addressed through the re-zoning, the table below provides an analysis of the differences between the requirements of By-law 3014 for the CF zone and the proposed fairgrounds using the data from the site plan.

It should be noted that the zoning matrix below does not reflect a full zoning examination of the development. There is a chance that other issues could be identified during the City's zoning examination of the site plan and/or building permit application. However, based on Table 1 below, it appears that any other zoning compliance matters could be resolved through minor site plan changes, thereby avoiding a further rezoning or minor variance.

Table 1: Zoning Matrix

Black Diamond Road, Belleville Ontario

Zoning By-law No. 3014

Zoning By-law Provision	By-law Requirement Section 6.18 Community Facility	Proposed	In Alignment?
Permitted Uses:	6.18.1.2.2 Arena... 6.18.1.2.3 Assembly Hall... 6.18.1.2.8 Education facility... 6.18.1.2.10 Fairgrounds... 6.18.1.2.20 Park including tent & trailer park	Primary building containing an arena area and education area. Accessory uses consisting of: a maintenance building, three horse barns, a poultry barn, RV parking, and midway.	Yes
Lot Area:	None, if on municipal services	12.2 hectares	Yes
Lot Frontage:	None, if on municipal services	~37 metres – New Road 257 metres – Highway 37	Yes
Ground Floor Area:	None	6,300 square metres	Yes
Lot Coverage:	50% (max.)	~5% based on lot area	Yes
Building Height:	11 metres (max.)	11 metres	Yes
Landscaped Open Space:	30% (min.)	~75%	Yes
Front Yard depth:	7.5 metres (min.)	55.6 metres	Yes
Exterior Side Yard depth:	7.5 metres (min.)	<i>Not shown on site plan but presumed to be at least 7.5 metres.</i>	Yes
Interior Side Yard depth:	7.5 metres (min.)	61.5 metres	Yes
Interior Side Yard width abutting a Residential zone:	10 metres	Not applicable	Yes
Rear Yard depth:	7.5 metres (min.)	<i>Not shown on site plan but presumed to be at least 7.5 metres</i>	Yes
Rear Yard depth abutting a Residential zone:	10 metres	Not applicable	Yes

Black Diamond Road, Belleville Ontario
Zoning By-law No. 3014

Zoning By-law Provision	By-law Requirement Section 6.18 Community Facility	Proposed	In Alignment?
Driveways:	9 metres (maximum width at property line); 15 metres (maximum separation between driveways)	Width not dimensioned; separation distance not dimensioned. <i>It is presumed through site plan approval that this will be confirmed and can be designed to be in compliance with the Zoning By-law.</i>	Presumed yes.
Setback from Centreline of Street:	26 metres (minimum, Provincial Highway) 17.6 metres (minimum, Township Road)	61.5 metres for Provincial; distance from Municipality road not dimensioned. <i>Based on visual inspection of the site plan, it appears that the setbacks are complied with.</i>	Presumed yes.
Accessory Uses:	5 metres (exterior side yard) 5 metres (interior side yard) 7.5 metres (rear yard depth)	RV parking distances not dimensioned. Based on visual inspection of the site plan, it appears that the RV parking may be encroaching.	Presumed no. Recommending that the ZBL amendment consider RV parking encroachment and relief from the setbacks.
Loading Spaces:	GFA over 2,300 m ² to and including 7,400 m ² = 2 loading spaces	3 provided	Yes

Black Diamond Road, Belleville Ontario
Zoning By-law No. 3014

Zoning By-law Provision	By-law Requirement Section 6.18 Community Facility	Proposed	In Alignment?
Parking Requirements:	<p>Type or nature of use: Area, Community Centre</p> <p>The greater of:</p> <p>(a) 1.0 parking space per 6 fixed seats (N/A – only in the arena portion and is lesser than other requirements).</p> <p>(b) 1.0 parking space per 9 sq. metres of gross floor area (6,300 / 9 = 700 spaces).</p> <p>(c) 1.0 parking space for each 4 persons that can be accommodated at any one time (N/A – lesser than other requirements).</p> <p>Parking Area Surface: Shall be maintained with a stable surface treated to prevent the raising of dust or loose particles. i.e. constructed of asphalt, cement etc. with provision for drainage facilities.</p>	<p>Exhibition Building:</p> <ul style="list-style-type: none"> Lobby and Education Portions: 2,100 m² / 9 = 235 spaces Arena Portion: 2,375 m² (active surface) / 9 = 265 spaces <u>Total</u>: 500 spaces <p>Horse Barn:</p> <ul style="list-style-type: none"> Temporary parking on areas around the building. <p>It is proposed that 200 of the spaces required above be ‘permeable’ for use in overflow events. The remainder of the required spaces are provided on ‘grassed’ areas as well on the Midway and along the roadways.</p>	No; needs amelioration.
Parking Space Size:	3 metres x 6 metres (min.)	3 metres x 6 metres	Yes
Additional Requirements	Conservation Authority requires 30 metre setbacks from any wetland area.	<i>Based on visual inspection of the site plan, it appears that the setbacks are not complied with.</i>	No; needs amelioration.

3.0

Proposed Official Plan and Zoning By-law Amendments

Based on the above, the following are the proposed Official Plan and Zoning By-law Amendments. It is further recommended that the site-specific provisions for the new fairgrounds be carried-forward into the New Zoning By-law.

3.1

Official Plan Amendment

The amendment would only apply to the easterly fairgrounds portion of the subject lands since the employment uses are already contemplated by the Industrial designation. The proposed amendment to the current Official Plan is recommended, by adding the following:

New third paragraph to Section 3.12.1: “Notwithstanding any other provision of this Plan to the contrary, fairgrounds are a permitted use for those lands generally known as the ‘New Fairgrounds’ having frontage on Highway 37 and in proximity to Black Diamond Road”.

3.2

Zoning By-law Amendment

The following proposed ZBL amendment for the subject site is recommended:

- 1) Reclassification of the “wetland designate” block shown on Figure 2 from the D zone to the Environmental Sensitive (ES) Zone;
- 2) Reclassification of the “stormwater management” block from the D zone to the Community Facility (CF) Zone;
- 3) Reclassification of the D zone for the centre portion of the site as shown in Figure 4 to the General Industrial (M1) Zone;
- 4) Reclassification of the RU zone to the Community Facility (CF) Zone for the fairgrounds use;
- 5) Adjustment of the boundary between the D and RU zones to align with the new road and new lot lines between the employment uses and fairgrounds use as shown on Figure 4;
- 6) Addition of the following new Section 6.15.1.9.25 to the Thurlow Zoning By-law:

“6.15.1.9.25 M1-X³

Notwithstanding the provisions of Section 6.15 within the area zoned M1-X, the following applies:

- a) The permitted uses shall be restricted to artisan workshop; automotive use; bank, trust company or other financial institution; brewery and/or distillery; business and industrial incubator; clinic; fueling station; hotel; instructional facility; manufacturing, assembling, fabricating or processing plant; office; printing or publishing establishment; rental outlet;

³ The ‘X’ is a placeholder and a number will be assigned by the City.

taxi business; warehouse; wholesale business; and retail sales in conjunction with and secondary to an approved non-residential use.

- b) All uses and accessory buildings and structures must be fully enclosed;
- c) The outside storage of materials is prohibited; and,
- d) Notwithstanding anything to the contrary within this By-law, the following definitions apply within the M1-X zone:
 - i) Artisan Workshop: A building or structure where manufacturing is performed by tradesperson or craftsperson requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a potter's shop, a jeweller's shop, sculptor's studio or similar uses;
 - ii) Automotive Use: The use of any lot, building, or structure, or part thereof, for the servicing, body repair, rental, sale, and/or dealership of motor vehicles but does not include a motor vehicle washing establishment or a fueling station. Includes a motor vehicle repair garage and a motor vehicle dealership, and may also include the sale and repair of boats, marine equipment, and motorized snow vehicles;
 - iii) Financial Institution: An establishment that provides a range of financial services, which includes a trust company and a bank;
 - iv) Brewery and/or distillery: A premises used for the production of beer or spirits produced for retail sale;
 - v) Business and Industrial Incubator: A building or part of a building designated for and used for business/industrial uses in an early or formative stage and where clerical and/or professional services directly related to such businesses or industries may be provided in common;
 - vi) Fueling station: A building or place where the principal use is the storage and sale of gasoline directly to the public;
 - vii) Hotel: An establishment that consists of one or more connected or adjacent buildings on the same lot, containing four or more suites with the each suite accessed internal to the building which throughout all or part of a year cater to the needs of the travelling public by furnishing sleeping accommodation but does not include any other establishment otherwise defined or classified by this Bylaw. May include ancillary services such as restaurant, meeting facilities, recreation facilities, convention, and banquet facilities;
 - viii) Instructional facility: A business that provides practical instruction or training and includes the study of a dance or music, art or craft school or studio, computer training, martial arts, trades, and/or any other such specialized school or studio conducted for hire, gain and/or profit;
 - ix) Office: A building or structure that is used by a business, agency or organization for:
 - a) administrative, clerical, data processing, professional, or management businesses or operations;
 - b) the offices, waiting rooms, examination rooms, treatment rooms, laboratories and/or pharmacies used in connection and forming part of the practises, but must not include accommodation for in-patient care or operating rooms for major surgery, or any use otherwise defined or

classified herein of a physician, dentist, veterinarian, or other legally qualified health care practitioner; and/or,

- c) the provision of government, social services, or other similar services;
 - x) Rental outlet: The use of land or the occupancy of a building or a part of a building or structure where articles or equipment of a primarily commercial or industrial nature are offered for rent, lease or hire under agreement for compensation;
 - xi) Taxi business: An establishment intended to accommodate the service and accessory office requirements related to the operation of a taxi business;
 - xii) Warehouse: A building or structure used for the storage and/or distribution of goods, wares, merchandise, article, and/or things, but does not include any storage and/or distribution of goods connected with any salvage operation or a bulk storage yard or truck and/or transport terminal; and,
 - xiii) Wholesale business: The use of land or the occupancy of a building and/or structure, for the purposes of selling, and/or offering for sale, goods, wares and/or merchandise on a wholesale basis, and includes the storage of warehousing of those goods, wares and/or merchandise.
- 7) Addition of the following new Section 6.18.1.5.12 to the Thurlow Zoning By-law:

“6.18.1.5.12 CF-X⁴

Notwithstanding the provisions of Subsection 6.18.1, within the area zoned CF-X, the following applies:

- a) The portion of the lot abutting the cul-de-sac bulb of the public road is the front lot line;
- b) The minimum number of parking spaces required is 500 spaces, and 200 of these parking spaces may be on a permeable surfacing material (e.g., permeable pavers, grass, gravel, etc.);
- c) The height limit for accessory uses is 8 metres; and,
- d) The minimum yards for accessory uses are 2 metres.”

4.0 Closure

We trust that these OPA/ZBA recommendations for the Belleville Agricultural Fairgrounds are helpful to facilitate the development of the site. We look forward to seeing the Fairgrounds site develop and its integration with the fabric of the city.

⁴ The 'X' is a placeholder and a number will be assigned by the City.

Appendix A

Activities defined by the Ag Society to occur on the lands:

Some of the attractions the BAS would like to host are:

Equine events such as:

- Barrel racing
- Hunters and Jumpers
- Dressage
- Western riding shows and competitions
- 4H demonstrations and educational sessions
- Horse and cow breeding lines
- Training and information evenings

Farm animal shows:

- Bovine shows and educational sessions
- Alpaca shows
- Poultry shows, competitions, and educational sessions
- Dog and cat shows
- 4H shows including goats, sheep and dairy etc.
- Rodeos and Stampedes
- Farmer and farming support

Conventions and/or conferences:

- Innovative Farmers Association (IFA)
- Junior Farmers
- Medium size conferences and shows, not to take away larger shows from QS&WC
- Trade, Consumer, Education and Product shows
- Social Events ie. weddings, galas, special events and announcements etc.
- Banquets
- Farm and related equipment shows
- Truck and Tractor pulls
- Sporting tournaments and education
- Sporting shows
- RV shows
- Vintage vehicle shows
- Concerts
- Community Ride nights
- Storage
- Local gardens for food and crops - fun for schools

Meeting location:

- Meeting rooms for single or ongoing rentals.

- Networking breakfasts, lunches etc.
- Smaller size classrooms for educational sessions
- School and farm life education and introduction to farm animals. Available to all local schools.

Quinte Exhibition and Fall Fair

- Midway and Carnivals
- Poultry, horse and cow shows and competitions
- Provincial and National Cheese judging and competitions
- Flower arrangement and baking shows and competitions
- All you can eat candy floss
- Smash-up Derby
- Etc.