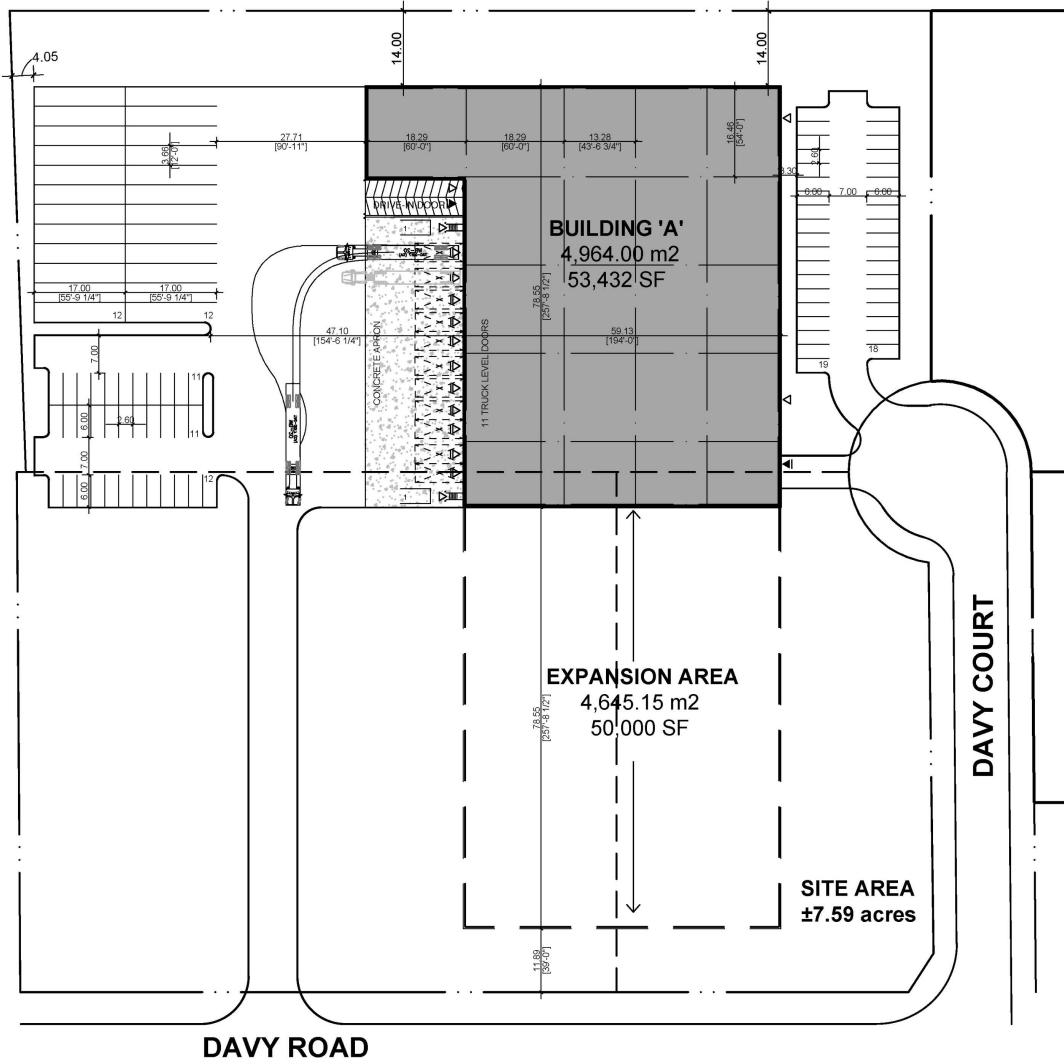


**HIGHWAY 401**



**Pan Properties Limited**

Davy Court at Davy Road, City of Belleville  
Planning Justification Report  
Zoning By-law Amendment  
April 30, 2026

## Davy Road Zoning By-law Amendment

In support of an application for a Zoning By-law Amendment (ZBL) submitted to the City of Belleville for the property municipally located at the northwest corner of Davy Court and Davy Road, the following Planning Justification Report has been prepared on behalf of the proposed developer of the subject lands.

The subject property is located north of Bell Boulevard, west of Sidney Street and abuts Highway 401, as shown on **Figure 1** below.



**Figure 1:** Location Map – Subject Property is outlined in red

Currently the subject property is vacant and undeveloped, as shown above, and in the photographs in **APPENDIX 1**.

It has road frontage on the east and south sides of the property and has full municipal services.

## **PROPERTY STATISTICS**

An M-Plan of the subject property is attached as **APPENDIX 2**.

This property has a lot area of 3.07 hectares with a frontage on the west side of Davy Court of 111.7m. and a frontage on the north side of Davy Road of 169.7m. From north to south, the property is 182.9m. deep.

This property is fairly regular in shape except for the turning bulb at the north end of Davy Court. This is an extremely large, underutilized lot.

The property is essentially flat and is a large open space with relatively little vegetation. [Please refer to **APPENDIX 1**.]

## **SURROUNDING USES**

The surrounding land uses are shown in the photos provided in in **APPENDIX 3**.

The subject property is located in a non-residential corner of the municipality with a mix of commercial and employment uses serviced by one of the City's major east-west arterial roads (Bell Boulevard).

This is an area that transitions from employment uses to commercial uses with exposure along Highway 401 and Bell Boulevard.

The surrounding land uses are indicated below:

To the north: Highway 401;

To the east: vacant commercial buildings and storage yard fronting onto Sidney Street and Bell Boulevard (former Rona home improvement store];

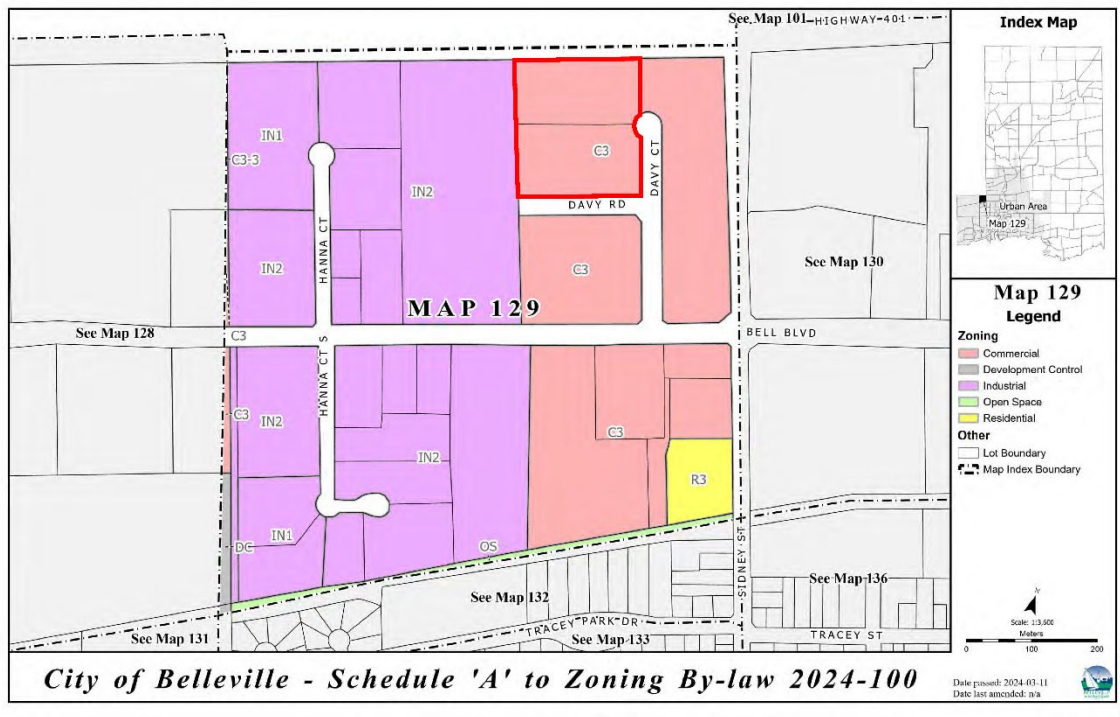
To the south: vacant and undeveloped commercial land with commercial buildings south of that fronting onto Bell Boulevard;

To the west: warehousing (Canada Post and Wilson Distributing).

## **REZONING REQUESTED**

This application for a zoning by-law amendment for the subject property is to change the existing zoning from the current C3 – Regional Commercial Zone to the IN2 – Service Industrial Zone.

Outlined below, in **Figure 2** is a map showing the existing zoning of the subject property.



**Figure 2:** Existing Zoning of Subject Lands

The requested IN2 Zone would permit a building in which to trans-ship parcels to customers in the local area. Trucks would bring in parcels from across Ontario unload load them and then smaller vehicles would deliver the packages around the local region. Items would be in the building for less than a few days. In addition, the pickup and drop-off of parcels by customers for delivery or pickup would be provided.

The City of Belleville Zoning By-law defines a warehouse as “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 or a self-storage facility.”

Arguably the proposed use is not identical to the historical concept of a warehouse as an “industrial” type use.

As shown on **APPENDIX 4** attached is a preliminary concept plan for the subject property indicating two (2) phases of construction. In 2026 and in subsequent years.

Access to this new commercial use will be from Davy Court.

### **PROVINCIAL POLICY STATEMENT**

The 2024 Provincial Policy Statement (PPS) came into effect on October 20, 2024 and replaced an earlier version of the PPS. The Planning Act requires that decisions affecting planning matters shall be consistent with the PPS.

This application for a zoning by-law amendment for the subject property is consistent with the PPS.

Specifically, Policy 2.1 - Planning for People and Homes

Subsection 6,

*“Planning authorities should support the achievement of complete communities by:*

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, **employment**, public service facilities and other institutional uses (including schools and associated child care facilities, long term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;”*

A complete community needs a range of land uses including for employment. This application helps provide additional employment in the municipality. It is forecast that when completed the new business will employ in excess of 60 employees.

In Policy 2.3.1 - General Policies for Settlement Areas

Subsection 1,

*“1. Settlement areas shall be the focus of growth and development.”*

The subject property is located within the Urban Serviced Area of the municipality as indicated on Schedule "B" of the Official Plan and this site is serviced by existing municipal infrastructure including roads, water and sanitary sewer.

In Policy 2.8 – Employment

Subsection 2.8.1 Supporting a Modern Economy,

- "1. *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; **This proposal helps provide a mix of employment uses to meet long-term needs in the municipality.***
  - 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; **This proposal helps provide a diversified economic base by adding new employment land for immediate development.***
  - c) *identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment; **This proposal is situated on land that with this rezoning will be market ready for development in 2026.***
  - d) *encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and **This proposal helps to fill in the municipality's goal of creating a corridor for employment uses along both sides of Bell Boulevard and those abutting lands that do not front directly onto Bell Boulevard.***
  - e) *addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses." **This proposal is compatible with all adjacent land uses and can operate along side the abutting uses to the west, south and east of the subject lands.***

## **Section 2 of the Planning Act, RSO 1990, Chapter P.13**

In Section 2 of the Planning Act, the Province sets out the Provincial Interests that a municipality in carrying out their responsibilities under the Planning Act, shall have regard to.

These interests are as follows:

- (a) the protection of ecological systems, including natural areas, features and functions; **The proposed land use is outside a protected natural area.**
- (b) the protection of the agricultural resources of the Province; **The proposed land use is within a designated settlement area.**
- (c) the conservation and management of natural resources and the mineral resource base; **Not Impacted.**
- (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest; **Not Impacted.**
- (e) the supply, efficient use and conservation of energy and water; **The proposed land use is within a designated settlement area where infrastructure is available and growth has been designated and planned for.**
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; **The proposed land use is within a designated settlement area where infrastructure is available.**
- (g) the minimization of waste; **Not Impacted.**
- (h) the orderly development of safe and healthy communities; **The proposed land use is within a designated settlement area and helps fill in a vacant and undeveloped employment area that is surrounded on three sides by existing commercial and employment uses.**
- (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies; **Design and construction of the proposed new use will meet all requirements for accessibility for persons with disabilities.**
- (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities; **Not Impacted.**

- (j) the adequate provision of a full range of housing, including affordable housing; **Not directly impacted but increasing employment opportunities does impact the requirements for housing and are complementary.**
- (k) the adequate provision of employment opportunities; **The proposed land use helps increase the opportunities for employment. It is estimated in excess of 60 new jobs will be created by this development.**
- (l) the protection of the financial and economic well-being of the Province and its municipalities; **The proposed land use helps support the financial and economic well-being of the municipality by the payment of fees and other charges and ultimately taxes. It is estimated that the building permit for this development will be in excess of \$20 million.**
- (m) the co-ordination of planning activities of public bodies; **The proposed land use is in general conformity with the municipality's planning documents and policies.**
- (n) the resolution of planning conflicts involving public and private interests; **Not Impacted.**
- (o) the protection of public health and safety; **Not Impacted.**
- (p) the appropriate location of growth and development; **The proposed land use is within a designated settlement area where infrastructure is available and growth has been designated and planned for. This is an area set aside for job creation.**
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; **Not applicable.**
- (r) the promotion of built form that,
  - (i) is well-designed,
  - (ii) encourages a sense of place, and
  - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant; **The design and construction of the proposed new use will meet the highest design standards possible and will be visible from Highway 401 and will help fill in a gap in the existing built form between existing properties and uses.**

- (s) the mitigation of greenhouse gas emissions and adaptation to a changing climate. **Design and construction of the proposed new use will meet all requirements for mitigating green house emissions.**

## City Of Belleville Official Plan

The City of Belleville adopted the current Official Plan on November 8, 2021 and the Plan was subsequently approved by the Ministry of Municipal Affairs and Housing on April 11, 2023.

Currently the subject property is designated Commercial Land Use in the City's Official Plan.

However, according to Section 3.12.1 Permitted Uses of the Official Plan, "Uses permitted in areas designated **Employment Land Use** include activities associated with the manufacturing, assembling, fabricating, packaging or processing of goods and services, including transportation/truck terminals, **warehouses**, railway uses, and other similar uses.

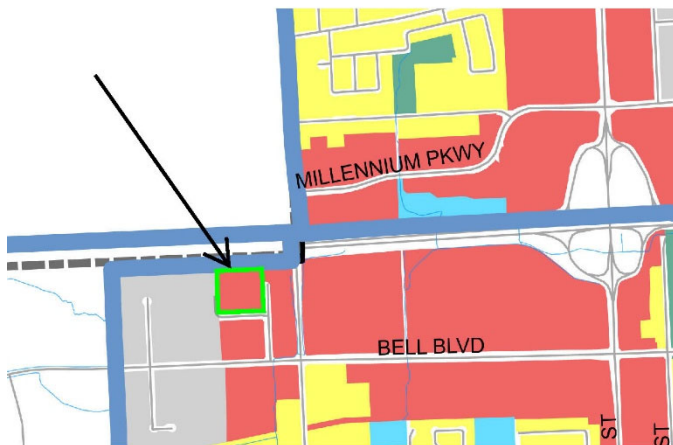
Consequently, separate from this application, the current property owner has requested that this land be re-designated Employment Land Use as part of the City's concurrent Official Plan review.

In effect moving the land use boundary from the west side of our property to the east side, as shown **Figure 3** on the following page.

The rationale behind this request is as follows:

- This property abuts Highway 401;
- Immediately to the west there are two (2) properties which are used for warehousing type uses;
- It is proposed to construct a courier depot with access by the public to pick up and drop off parcels on this property;
- This property does not abut Bell Boulevard and does not have very good visibility from Bell Boulevard because of the existing commercial uses to the south of the subject property;
- Thus this property does not tie into the concept of a commercial corridor from east to west along Bell Boulevard;
- Lastly, according to the City's 2018 Municipal Comprehensive Review of the Urban Serviced Area, which is understood to be largely current, the City of Belleville has a significant over capacity of commercial land. Consequently, approximately 3 hectares of the subject land are not needed for the City's commercial land use inventory.

- Commercial Land Use
- From Commercial Land Use To Employment Land Use
- Employment Land Use



**Figure 3:** Extract From Schedule 'B'- Land Use Plan - Urban Serviced Area

### Zoning By-Law No. 2024-100

The subject property is currently zoned C3 – Regional Commercial Zone as shown previously, in **Figure 2**.

The C3 Zone does not permit the proposed use of the subject property.

As a result, this zoning by-law amendment application has been submitted to the City of Belleville to change the zoning of this property to the IN2 Zone as shown on **Figure 4** below.



**Figure 4:** Current Zoning of Subject Property

The IN2 Zone permits a range of uses including a health club, motor vehicle repair garage, motor vehicle washing establishment, office, rental outlet, self-storage facility, wholesale business and a warehouse.

Arguably uses that don't need to have direct frontage on a main commercial corridor but would ideally fit in, and be complementary by being located just north of the corridor.

As shown on a Zoning Matrix for the subject property on **Figure 5** below, the proposed use of the subject property is in full conformity with the IN2 Zone of the City Of Belleville Zoning By-Law 2024-100 with two (2) exceptions, as shown in yellow.

**ZONING MATRIX – Davy Court**

WAREHOUSE		
PROVISIONS	REQUIRED IN2 Zone	PROPOSED
Lot Area (Minimum)	Nil	30,686.21 sq.m
Lot Frontage (Minimum)	Nil	111.71 m
Lot Coverage (Maximum)	65%	16.18%
Minimum Landscape Area	Nil	19,190.85 sq.m
Front Yard Setback (Minimum)	15.0m	8.79m
Exterior Side Yard (Minimum)	15.0m	11.74m
Interior Side Yard (Minimum)	7.5m	14.00m
Rear Yard (Minimum)	7.5m	66.4m
Height (Maximum)	11.0m	N/A
Required Parking - 0.75 spaces per 100.0 m <sup>2</sup> of gross floor area	38 spaces	92 spaces (accessible not incl.)
Regular Parking Space Dimensions (Minimum)	2.4m x 6.0m	2.6m x 6.0m
Accessible Parking = 5% of the number of parking spaces must be accessible spaces	2 spaces	2 spaces
Accessible Parking Space Dimensions (Minimum)	3.4m x 6.0m	2.8m x 6.0m
Aisle Width (Minimum)	7.0m	1.2m
Driveway Width	3.0m to 9.0m	9.0m
Bicycle Parking - 1.0 per 2,000m <sup>2</sup> of gross floor area	3 spaces	9 spaces
Off-Street Loading Requirements	2 loading spaces	2 loading spaces

**Figure 5:** Zoning Matric for Proposed Use of Subject Property

It is noted that the deficiency in the front yard setback arises because Davy Road is not straight but flares out at the north end for the turning bulb.

It is also possible as the site plan for this project gets refined the deficiency of 6.21 metres can be made up by adjusting the location of the building and/or its dimensions.

The deficiency in the exterior side yard setback does not exist with the proposed first phase of construction. The necessary setback is provided. However, it may come into play when construction of the second phase takes place. However, again it may be possible that the deficiency of 3.26 metres can be made up by adjusting the location of the building and/or its dimensions.

The proposed zoning amendment to implement the requested zoning change is provided in **APPENDIX 5** attached.

## **Planning Opinion And Conclusion**

In support of this zoning by-law amendment application for the property located at the northwest corner of Davy Court and Davy Road, the preceding Planning Justification Report has been prepared on behalf of the future owner of this property.

If approved, this application will allow for the development of this long vacant parcel of land and in doing so create in excess of 60 jobs and over \$20 million in development costs that will support and strengthen the economic base of the municipality.

In summary, it is our opinion that this application:

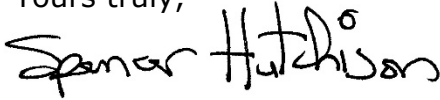
- makes appropriate use of the land and represents complementary development of these lands abutting Highway 401 and adjacent to the Bell Boulevard commercial corridor;
- has regard for the criteria of provincial interest as set out in Section 2 of the Planning Act;
- is consistent with the employment policies of the 2024 Provincial Policy;
- will conform to the general Employment Land Use policies of the City of Belleville Official Plan;

- is in conformity with the intent of the City of Belleville Zoning By-law 2024-100 and in particular the IN2 – Service Industrial Zone uses and regulations, and;
- represents good planning.

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

**Signature of Author**

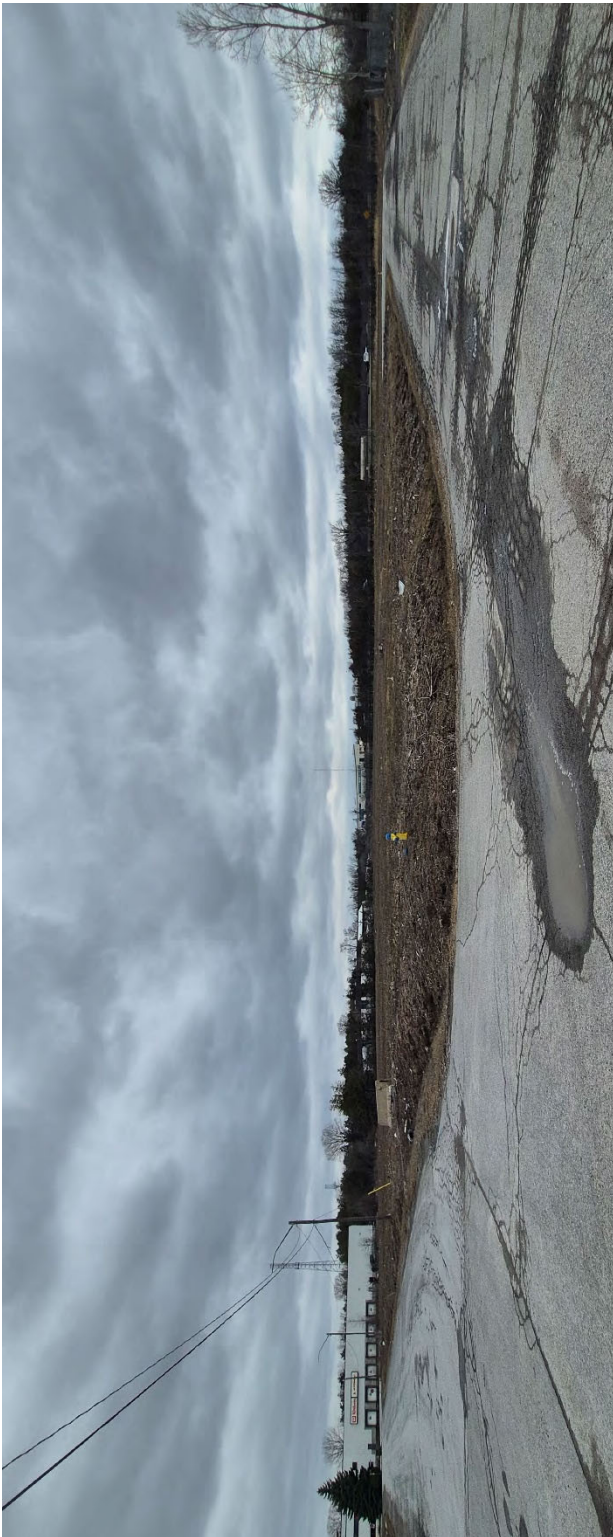
Yours truly,



Spencer Hutchison, RPP



## **APPENDIX 1: Pictures of Subject Lands**



**Looking northwest across  
Subject Property from  
intersection of Davy Road  
and Davy Court**



**Looking northeast  
across Subject Property  
from southwest corner  
of property**



**Looking west across  
Subject Property from  
Davy Court**

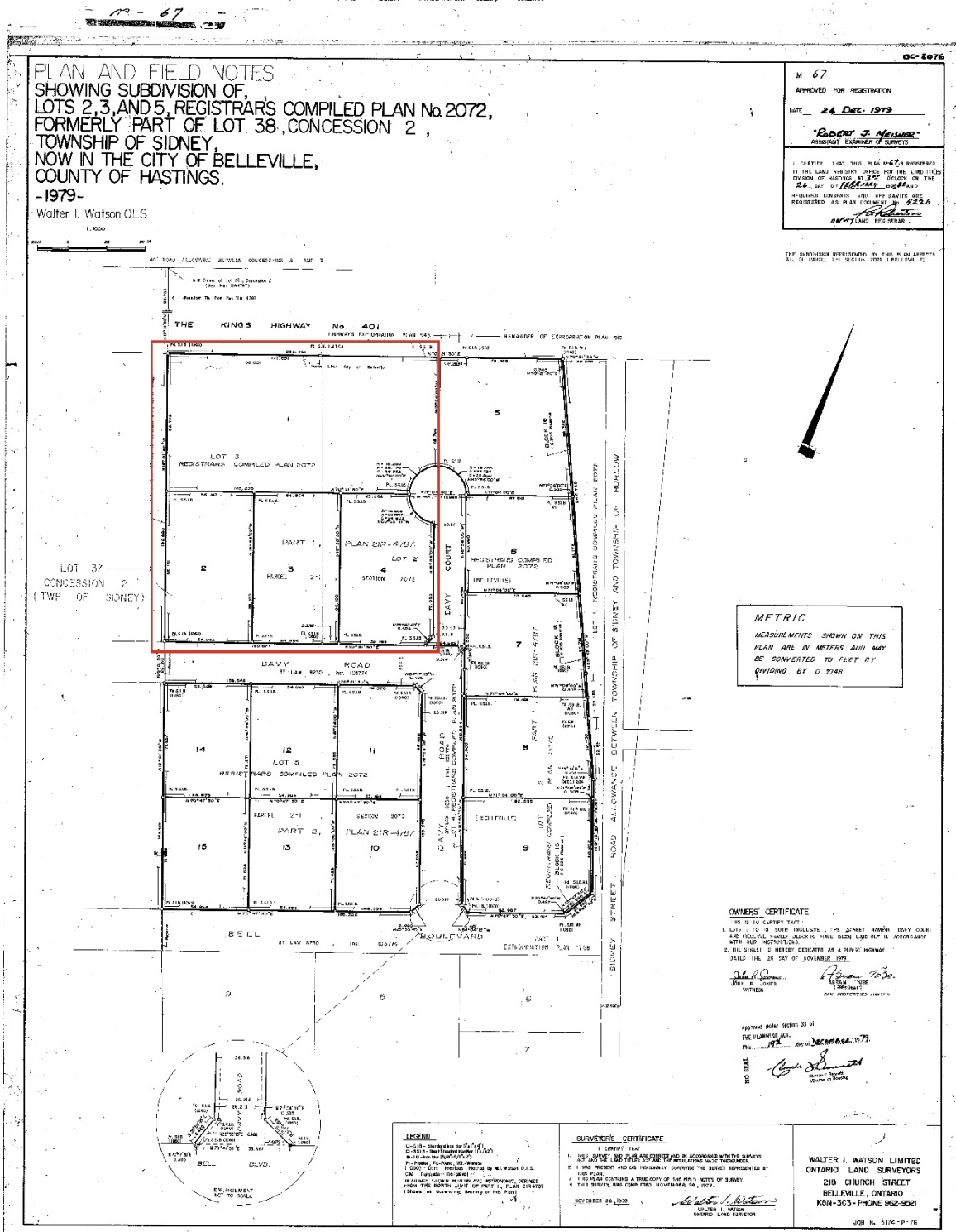


**Looking west along Davy Road**



**Looking south along  
Davy Court**

**APPENDIX 2: M-Plan of Subject Property**



### **APPENDIX 3: Pictures of Abutting Properties**



**Abutting Property to southwest**



**Abutting Property to northwest**

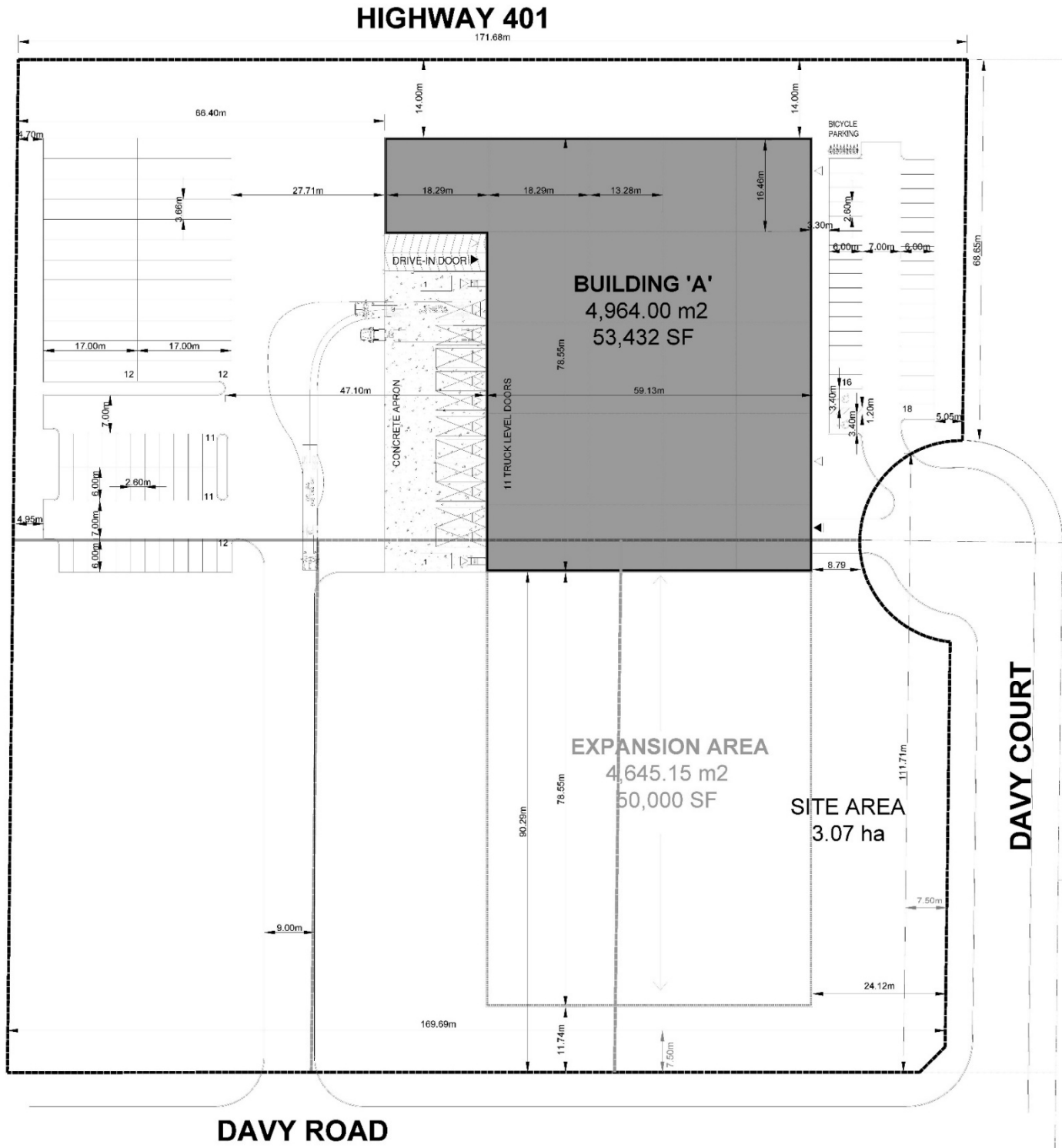


**Abutting Property to east**



**Abutting Property to south**

### APPENDIX 4: Preliminary Concept Plan



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## APPENDIX 5: Proposed Zoning By-law Amendment

**DRAFT**

THE CORPORATION OF THE CITY OF  
BELLEVILLE BY-LAW NUMBER 2026-xx

A BY-LAW TO AMEND BY-LAW NUMBER 2026-100, BEING A BY-LAW TO REGULATE THE  
USE OF LAND AND THE HEIGHT, BULK, LOCATION, SIZE, FLOOR AREA, SPACING,  
CHARACTER AND USE OF BUILDINGS

THE COUNCIL OF THE CORPORATION OF THE CITY OF BELLEVILLE ENACTS AS  
FOLLOWS:

1. THAT Schedule "A", Map No. 129 of By-law 2024-100, as amended, is hereby amended by rezoning the lands municipally known as xxx, from Regional Commercial (C3) Zone to Service Industrial (IN2) Zone as shown on the zoning map attached hereto as Appendix 1.
2. THIS By-law shall come into force and take effect on the day of passing thereof provided no notice of appeal is filed pursuant to the provisions of the Planning Act, R.S.O. 1990, as amended. In the event that an appeal is filed, this By-law shall come into force and take effect in accordance with the provisions of the Planning Act, R.S.O. 1990.

Read a first time this xth day of xxxx, 2026.

Read a second time this xth day of xxxx, 2026.

Read a third time and finally passed this xth day of xxxx, 2026.

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NEIL ELLIS, MAYOR

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J. DOUGLAS IRWIN  
CITY CLERK

STATEMENT OF PURPOSE AND EFFECT  
OF BY-LAW NUMBER 2026-

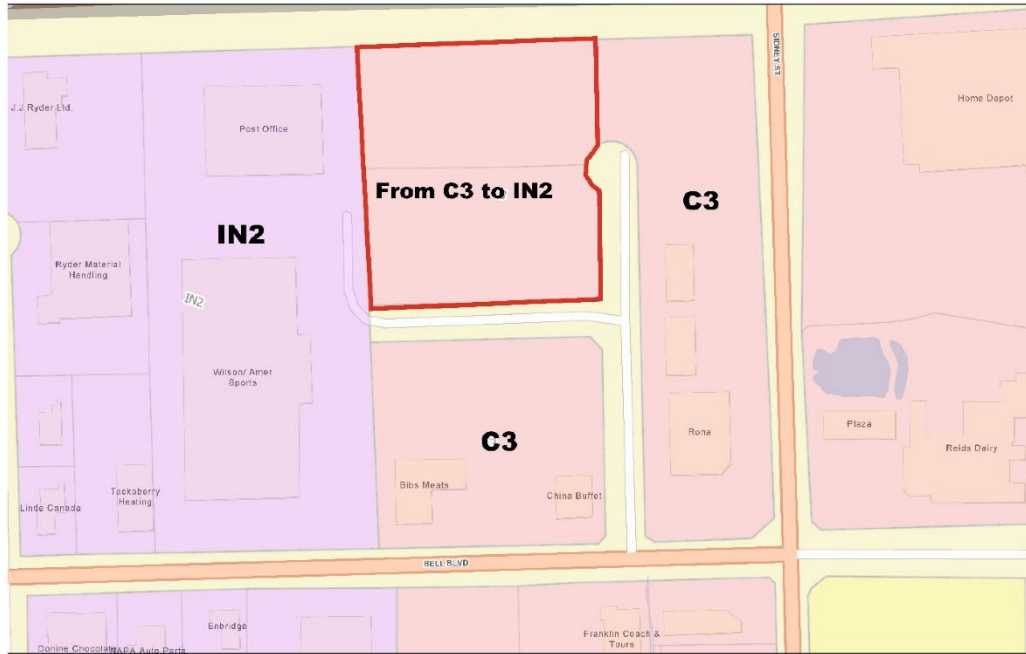
The purpose of By-law Number 2026-\_\_\_ is to amend Zoning By-law Number 2024-100, as amended, from the C3 – Regional Commercial Zone to the IN2 – Service Industrial Zone.

The effect of By-law Number 2026-XXX is to allow a warehouse to be constructed on the subject lands and to create additional employment opportunities.

Belleville Municipal Council considered public correspondence provided by x (x) member of the public at the statutory public meeting. The report from Planning Staff was presented to the Planning Advisory Committee, prior to the approval of the proposed amendment.

Based on all information available, Belleville Municipal Council approved the Zoning By-law Amendment, as described above.

**Appendix 1**



To be rezoned from Regional Commercial (C3) Zone to Service Industrial (IN2) Zone