

THE CORPORATION OF THE CITY OF BELLEVILLE

BY-LAW NUMBER 2024-

A BY-LAW TO APPROVE AN AMENDMENT TO THE OFFICIAL PLAN (2021) OF THE CITY OF BELLEVILLE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 21 OF THE PLANNING ACT, RSO 1990, c. P.13, AS AMENDED

THE COUNCIL OF THE CORPORATION OF THE CITY OF BELLEVILLE, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 21 OF THE PLANNING ACT, RSO 1990, c. P.13, AS AMENDED HEREBY ENACTS AS FOLLOWS:

1. Amendment No. X to the Official Plan (2021) of the City of Belleville, consisting of an explanatory text, and schedule is hereby adopted.
2. This By-Law shall come into force and take effect on the day of the final passing thereof.

ENACTED AND PASSED THIS DAYth DAY OF MONTH, 2024

Read a first time this **10th** day of **February, 2024.**

Read a second time this **10th** day of **February, 2024.**

Read a third time and finally passed this **10th** day of **February, 2024.**

NEIL ELLIS MAYOR

DOUG IRWIN CITY CLERK

Amendment No. X to the Official Plan (2021) of the City of Belleville

PART "A" - PREAMBLE

I Title

The Title of the Amendment is "Amendment No. X to the Official Plan (2021) of the City of Belleville", hereinafter referred to as the "Amendment".

II Relative Parts

Part "A" - THE PREAMBLE does not constitute part of the Amendment, and is intended only to provide the background for Part "B".

PART "B" - THE AMENDMENT of this document constitutes Amendment No. X and is comprised of the following sections:

1. Introduction
2. Details of the Amendment
3. Statement of Policy
4. Implementation
5. Interpretation

PART "C" - THE APPENDICES of this document does not constitute part of the Amendment, and contains the following appendices:

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| APPENDIX I | - | Location Map |
| APPENDIX II | - | Planning Staff Report dated [DATE] |
| APPENDIX III | - | Excerpt of Minutes of the Public Meeting held by the Belleville City Council Planning Committee on [DATE] |
| APPENDIX IV | - | Excerpt of Minutes of the Regular Meeting of the Belleville Planning Advisory Committee held on [DATE] |
| APPENDIX V | - | Circulation letters dated [DATE] |

III Location of the Amendment

This Amendment No. X applies to the entirety of the City of Belleville, County of Hastings.

IV Purpose of the Amendment

The purpose of the Official Plan Amendment is to revise the Official Plan to facilitate residential intensification to increase opportunities for “missing middle” housing options, including four-unit dwellings on urban serviced residential parcels of land.

V Basis of the Amendment

This Amendment No. X was initiated by the Corporation of the City of Belleville and the basis of this Amendment is contained in the Staff Report SGS-2024-XX dated MONTH DAY, 2024.

PART "B" - THE AMENDMENT

1. Introduction

The whole of this Part "B" constitutes "Amendment No. X" to the Official Plan (2021) of the City of Belleville, which consists of the following text.

2. Details of the Amendment

The Official Plan of the City of Belleville is hereby amended as follows:

1. The City of Belleville Official Plan (2021) is hereby amended by the following changes, which shall constitute the Amendment Number X to the City of Belleville Official Plan (2021):
 - a. Amend Section 3.1.1 a) by appending the section with the following statement: “Additionally, an accessory dwelling unit may be permitted in accordance with Section 7.18.”;
 - b. Amend Section 3.2.1 a) by removing the mention of accessory dwelling units and coach houses with the related policies from paragraph 3, sub-bullet 2, and sub-bullet 3, and appending the sub-bullet 1 with the following statement: “Additionally, an accessory dwelling unit may be permitted in accordance with Section 7.18.”;
 - c. Amend Section 3.3.3 b) by appending the sentence 1 with the following statement: “, which may include an accessory dwelling unit in accordance with Section 7.18;”
 - d. Amend Section 3.10.2 e) by appending the section with the following

paragraph: “Notwithstanding this subsection e), ground-oriented dwellings, which are defined as buildings with dwelling units that are designed to be individually accessible directly from the street and generally do not exceed three storeys in height (i.e. two-unit, three-unit, four-unit and townhouse dwellings), may be appropriate along local roads and may be accessed through low density residential developments.”;

- e. Amend Section 3.10.2 n) & o) by redacting and replacing the section with the following statement: “Accessory dwelling units may be permitted in accordance with Section 7.18;”;
- f. Amend Section 3.11.2 a) by replacing “Where lands designated” with “An accessory dwelling unit may be permitted in accordance with Section 7.18. Furthermore, where”;
- g. Amend Section 7.6.2.2 g) by replacing “garages” in sentence 1 with “garages and driveways” and “Garages” in sentence 2 with “garages, driveways, and parking areas”;
- h. Amend Section 7.6.2.6 d) by replacing “urban design guidelines” with “urban design guidelines and zoning by-law” and appending the subsection with the following statement: “Any removal or reductions in the landscaping requirements in front yards is strongly discouraged”;
- i. Amend Section 7.16 d) by replacing “character of existing neighbourhoods” with “character of existing neighbourhoods, including common lot frontages and lot sizes”;
- j. Create a new Section 7.18 for “Accessory Dwelling Units” as follows:
 - a. Accessory dwelling units are defined as residential units that are accessory to a main use, limited in size and scale, and a form of gentle intensification. Accessory dwelling units are permitted for the following main uses along with the specified maximums:
 - i. Within the Residential Land Use designation where a parcel is connected to municipal water and sanitary services, and where the main use is permitted, the following shall apply:
 - i Up to two (2) accessory dwelling units shall be permitted on a parcel containing a single detached, semi-detached, or townhouse dwelling;
 - ii One (1) accessory dwelling unit may be permitted for a place of worship;

iii A maximum of one (1) detached accessory dwelling unit may be permitted for a Two-unit, Three-unit, Four-unit or Multi-unit dwelling containing less than nine (9) dwelling units and have an existing density of 60 units per hectare or less, subject to a rezoning. The development will only be approved subject to incorporating the following:

- Incorporating parking space, bicycle parking and amenity space requirements for the Accessory Dwelling Unit and cannot be further reduced; and
 - Prohibiting the further expansion of a driveway or parking area in the front yard.
- ii. Within the Residential Land Use designation where a parcel that is not connected to both municipal water and sanitary services or within the Agriculture, Hamlet or Rural Land Use designations, one (1) accessory dwelling unit may be permitted on a parcel containing a single detached dwelling;
- iii. Within the City Centre designation where a parcel is connected to municipal water and sanitary services and where the main use is permitted, this subsection 7.18 a) i) shall apply; and
- iv. Within the Community Facility designation, one (1) accessory dwelling unit may be permitted for any place of worship.
- b. Accessory dwelling unit(s) are permitted as accessory uses as described in this subsection 7.18 a), provided:
- i. The unit shall be incidental and secondary to the main use;
 - ii. The parcel has direct frontage on a municipal street;
 - iii. The unit is prohibited from future severance from the main building; and
 - iv. The unit is not located within any area subject to natural hazards (i.e. wetlands, unstable bedrock, erosion hazards, or flooding).
- c. Limitations shall be established for accessory dwelling units, including the following:
- i. Any additional dwelling units (i.e. including converted dwellings, second units, etc.) legally established prior to

[Date of Passing] shall contribute to the maximum number of permitted accessory dwelling units;

- ii. A maximum distance between a detached accessory dwelling unit from the main building to ensure that development is located in a cluster and, if applicable, minimize land taken out of agricultural production; and
- iii. Sufficient and adequate servicing in accordance with Section 5.3 when within the Urban Serviced Area or in accordance with Section 5.4 when within the Rural Area.”

- k. Amend Section 8.11.1 a) regarding considerations for minor variances by adding a new subsection xiii) as follows: “the availability of alternative modes of transportation (e.g. cycling, transit, etc.) and public facilities including sidewalks when considering reductions in parking and/or increasing density.”

4. Statement of Policy

This Amendment has regard to Section 2 of the Planning Act, is in conformity with the Provincial Planning Statement 2024 and is in conformity with the policies of the Belleville Official Plan.

5. Implementation

The Council of the Corporation of the City of Belleville may enact an appropriate Zoning By-Law pursuant to Section 34 of the Planning Act, RSO 1990, c. P. 13, as amended.

6. Interpretation

The provisions of the Official Plan, as amended from time to time regarding the interpretation of the Plan, shall apply in regard to this Amendment No. X.