

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. 6 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 XX DAY OF XX, 2024

Read a first time this **XX** day of **XX, 2024**.

Read a second time this **XX** day of **XX, 2024**.

Read a third time and finally passed this **XX** day of **XX, 2024**.

NEIL ELLIS MAYOR

MATT MACDONALD CITY CLERK

Amendment No. 6 to the Official Plan (2021) of the City of Belleville

PART "A" - PREAMBLE

I Title

The Title of the Amendment is "Amendment No. 6 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. 6 and is comprised of the following sections:

1. Introduction
2. Details of the Amendment
3. Interpretation

III Location of the Amendment

This Amendment No. 2 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 and its Schedules to provide for administrative updates and align with recent provincial legislation.

V Basis of the Amendment

This Amendment No. 6 was initiated by the Corporation of the City of Belleville and the basis of this Amendment is contained in the Staff Introductory Report SGS-2024-XX dated August 6, 2024.

PART "B" - THE AMENDMENT

1. Introduction

The whole of this Part "B" constitutes "Amendment No. 6" to the Official Plan (2021) of the City of Belleville, which consists of the following text, figure and attached schedule designated Appendix "1" and "2".

2. Details of the Amendment

Whereas a Public Meeting was held regarding this amendment on August 6, 2024; and

Now Therefore the Council of The Corporation of the City of Belleville, in accordance with the provisions of Section 21 of the Planning Act, R.S.O. 1990, c.P13, hereby enacts as follows:

1. The City of Belleville Official Plan (2021) is hereby amended by the following changes, which shall constitute the Amendment Number 5 to the City of Belleville Official Plan (2021):
 - a. Amend Section 2.2.9 by replacing 'one unit dwellings' with 'single detached dwellings, semi-detached dwellings, townhouse dwellings';
 - b. Amend Section 2.2.12 by replacing 'one unit dwellings' with 'single detached dwellings, semi-detached dwellings';
 - c. Amend Section 3.2.1 a) by replacing 'On-farm housing includes one unit dwellings' with 'On-farm housing includes single detached dwellings' and 'One-unit dwellings: are permitted' with 'A single detached dwelling is permitted';
 - d. Amend Section 3.5.5 b) by adding the following statement 'For clarity, development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.';
 - e. Amend Section 3.5.6 b) by removing ', in consultation with the Conservation Authority.' and adding the following statement in sentence two of paragraph two '(where a permit is required and the EIS comprises part of the permit application)';
 - f. Amend Section 3.8.1 b) by replacing 'one-unit dwellings' with 'single detached dwellings and semi-detached dwellings';
 - g. Amend Section 3.9.1 e) by adding the following statement after

sentence three 'When considering mixed use development consisting of residential uses, the policies of Section 3.10.2 shall apply.';

- h. Amend Section 3.10.1 by replacing 'one-unit dwellings' with 'single detached dwellings';
- i. Amend Section 3.10.2 a) i) by replacing 'one-unit dwellings' with 'single detached dwellings and semi-detached dwellings';
- j. Amend Section 3.10.2.g) by removing the section entirely and replacing it as follows:

'In considering the appropriateness of residential development or redevelopment, issues of built form and density should be addressed. More specifically, if: (1) a property is located outside the City Centre designation on Schedule 'B', and (2) it is proposed for rezoning to a higher magnitude residential or mixed use zone (e.g., from R1 to R2), and (3) the property would be adjacent to a lower magnitude zone after the proposed rezoning (e.g., the property rezoned to R2 is adjacent to a property in the R1 zone), and (4a) the proposed development has a density of 60 units per net hectare or greater, and/or (4b) the proposed development is taller than three storeys, then the rezoning may be approved subject to an Urban Design Brief prepared by a qualified professional that will address conformity with the City's urban design guidelines and the appropriateness of incorporating into the rezoning:

 - i. an angular plane requirement of 45 degrees (drawn from the foundation of the closest main residential dwellings on all adjacent lower magnitude residentially zoned properties); and,
 - ii. a minimum rear setback of 7.5 metres from the rear lot line shared with the lower-magnitude residentially zoned property, if the provisions of the zoning by-law would otherwise allow a lesser setback.'
- k. Amend Section 3.10.2 n) by replacing all instances of 'one-unit' with 'single detached'; 'two-unit' with 'semi-detached'; 'townhouse' with 'townhouse dwelling', and 'coach house dwelling' with 'detached accessory dwelling unit';
- l. Amend Section 3.10.2 by re-lettering subsections o) and p) and adding a new subsection o) as follows:

'Notwithstanding subsection n), on a parcel of land that is within an area of settlement that is serviced by municipal water and sewage works on which residential use, other than accessory dwelling units, is permitted by by-law, the following shall be permitted:

- i. Two residential units in a single detached dwelling, semi-detached dwelling, or townhouse dwelling if all buildings and structures ancillary to this cumulatively contain no more than one residential unit; or
 - ii. Three residential units in a single detached dwelling, semi-detached dwelling or townhouse dwelling if no building or structure ancillary to this contains any residential units; or
 - iii. One residential unit in a building or structure ancillary to a single detached dwelling, semi-detached dwelling or townhouse dwelling if this contains no more than two residential units and no other building or structure ancillary to this contains any residential units.
- m. Amend Section 3.10.2 q) by appending the section with the following statement: 'Notwithstanding 3.10.2 d) ii) the main access route may be through low density areas should no other option be feasible.';
- n. Amend Section 3.10.4 c) by adding the following statement ' , as appropriate, ';
- o. Amend Section 4.1.1 h) by replacing 'height or density bonusing' with 'grants or loans' and 'Community Benefit Charge By-law' with 'Community Improvement Plan'
- p. Amend Section 4.3.2 b) by replacing 'one-unit dwellings' with 'single detached dwellings and semi-detached dwellings';
- q. Amend Section 4.3.6 b) by replacing 'one and two unit dwellings' with 'single detached dwellings, semi-detached dwellings';
- r. Amend Section 4.6.2 h) by replacing 'height or density bonusing' with 'grants or loans' and 'Community Benefit Charge By-law' with 'Community Improvement Plan'
- s. Amend Section 5.6 c) by removing ' , in consultation with the Conservation Authority.' and adding the following statement ' , as appropriate, ';
- t. Amend Section 5.6 c) vi) by and adding the following statement ' , as appropriate, ';
- u. Delete Section 6.1.3 f) in its entirety;

- v. Amend Section 7.2.3 b) by removing 'The minimum lot size shall be 40 hectares.';
- w. Amend Section 7.11.2 c) by adding the following statement after the first sentence of the second paragraph: 'in accordance with the Planning Act.'
- x. Amend Section 7.11.2 d) by removing the second paragraph and replacing it with the following:

Such payment should be based on an appraisal by a qualified land appraiser, to the value of the land otherwise required to be conveyed as determined as of the day an application for an approval of development under site plan control or an application for an amendment to the zoning by-law, as the case may be, was made in respect of the development or redevelopment. If a development or redevelopment was subject to more than one application, the later one is deemed to be the applicable application. However, if on the day the first building permit is issued for the development or redevelopment, more than two years have elapsed since the application, the day a building permit was issued in respect of the development or redevelopment applies or, if more than one building permit is required for the development or redevelopment, as of the day the first permit is issued. Where, in the opinion of the Municipality, the cost to prepare a land appraisal would be unreasonable given the anticipated cash-in-lieu value, the Municipality may utilize a standard for cash-in-lieu of parkland. In establishing such a standard, the Municipality should ensure that application of such a standard would not result in cash requirements exceeding the maximum permitted.
- y. Amend Section 7.11.2 e) by removing the section entirely and replacing it with the following: 'As an alternative to the requirement to dedicate 5% of the land within a residential subdivision or development for park or other public recreational purposes, Council may by by-law require the dedication of lands based on 1 hectare of land for every 600 dwelling units, subject to criteria in the Planning Act.';
- z. Amend Section 7.15.3 a) by replacing 'one-unit dwellings' with 'single detached dwellings', 'semi-detached dwellings', and 'townhouse dwellings' and removing 'consider granting density bonuses prescribed in this Plan in appropriate locations where

affordable and special needs housing would be provided where eligible under a Community Benefit Charge By-law.’;

aa. Amend Section 8.1.5 by removing the section entirely and replacing it as follows: ‘Council may by by-law impose community benefits charges against land to pay for the capital costs of facilities, services or matters required because of the development or redevelopment as are set out in the by-law in accordance with the Planning Act and regulations.’;

bb. Amend Section 8.11.1 by removing ‘bonus,’; and

cc. Amend Section 8.12.3 by adding ‘coloured architectural rendering’ as material Staff may require for a complete application.

1. The City of Belleville Official Plan (2021) is further amended by the following maps:

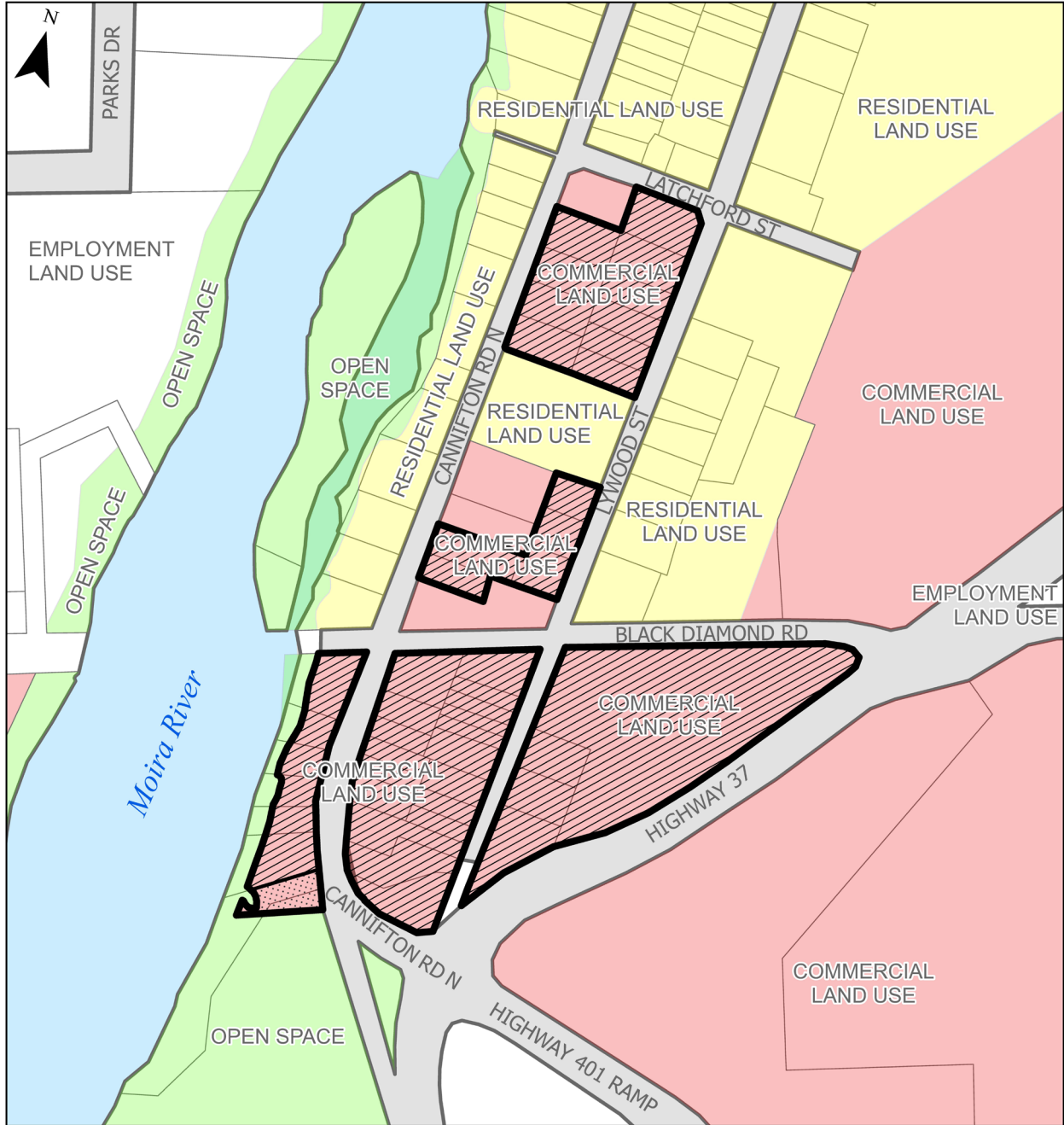
a. Amend Schedule ‘B’ of the Official Plan entitled "Land Use Plan – Urban Serviced Area" as shown as shown on Appendix “1”.

b. Replacing Schedule ‘C’ of the Official Plan entitled “Road System Plan” with Appendix “2”.

4. 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. 6.




Appendix "1"

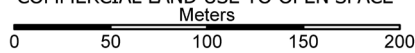


OFFICIAL PLAN MAP

LOCATION: PROPERTIES ALONG CANNIFTON ROAD NORTH, LYWOOD STREET AND BLACK DIAMOND ROAD

APPENDIX 1

-  SUBJECT LANDS
-  OFFICIAL PLAN DESIGNATION CHANGE FROM COMMERCIAL LAND USE TO RESIDENTIAL LAND USE
-  OFFICIAL PLAN DESIGNATION CHANGE FROM COMMERCIAL LAND USE TO OPEN SPACE



Appendix "2"

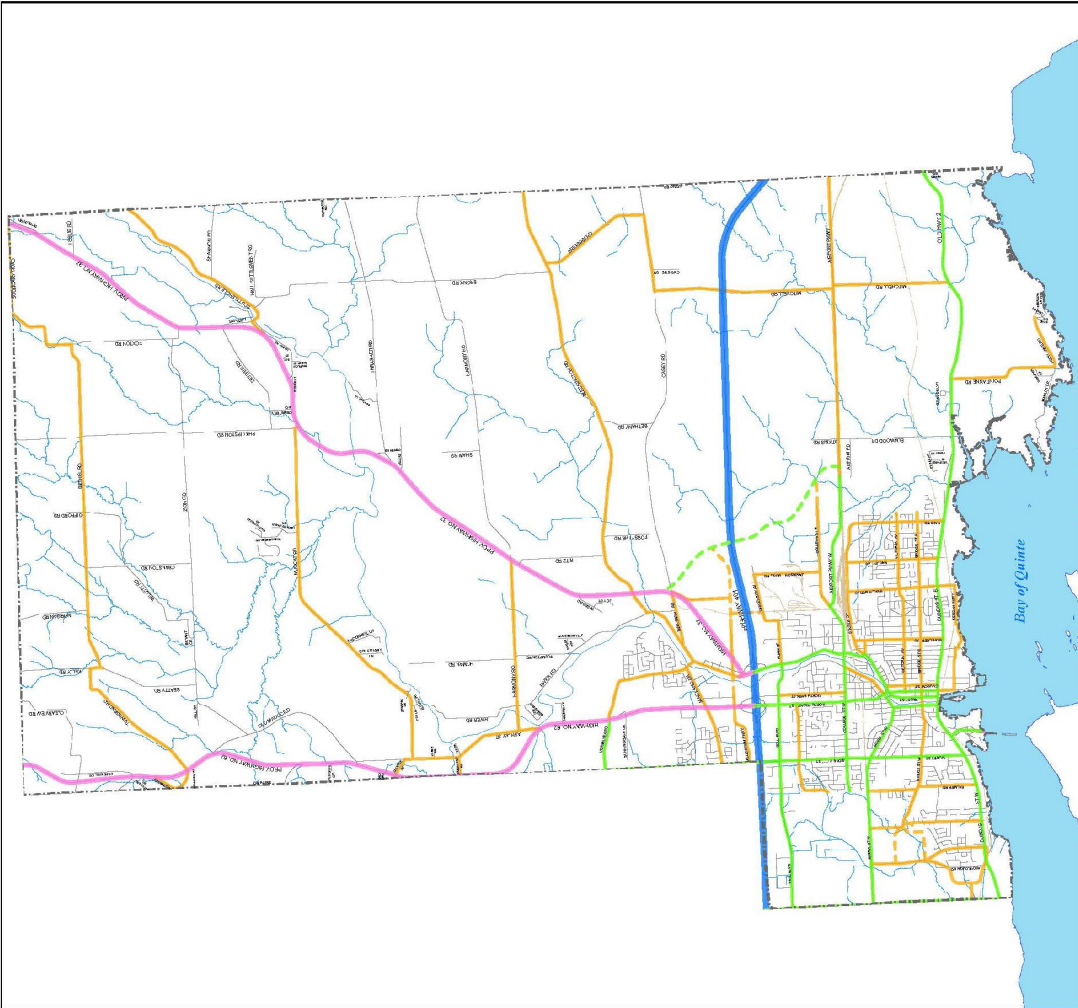


CITY OF BELLEVILLE OFFICIAL PLAN

Schedule C Road System Plan



- Legend**
- Arterial Roads**
- Expressway (Under Provincial Jurisdiction)
 - Highway (Under Provincial Jurisdiction)
 - Other Existing Arterial (Under Municipal Jurisdiction)
 - - - Proposed Arterial
- Collector Roads**
- Existing Collector
 - - - Proposed Collector
- Other Features**
- Municipal Boundary
 - Roads
 - Railways
 - Watercourses
 - Bay of Quinte



SCALE 1:50,000
 MAP DRAWING BY: M. J. BROWN
 GIS SUPPORT BY: J. BROWN, M. J. BROWN, J. BROWN
 MAP PREPARED BY: M. J. BROWN, M. J. BROWN, J. BROWN
 PROJECT NUMBER: 1000000000
 STATUS: SHARED
 DATE: 2021-09-20



By-law 2021-180