

The Corporation of the City Of Belleville

By-Law Number 2018-185

A By-Law to amend By-Law Number 10245, 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 Part A, Section 5 of By-Law Number 10245, as amended, shall be and the same is hereby amended by adding the following new definitions:
 - (45) l) “Second Unit Dwelling” shall mean one (1) additional dwelling unit located within a single detached dwelling, a dwelling unit of a semi-detached dwelling, or a dwelling unit of a townhouse dwelling.
 - (45) m) “Coach House Dwelling” shall mean one (1) additional dwelling unit that is located in a building or structure that is located on the same lot and is accessory to a single detached dwelling containing only one dwelling unit, semi-detached dwelling containing only one dwelling unit or townhouse dwelling containing only one dwelling unit.
 - (45) n) “Semi-Detached Duplex Dwelling” shall mean one of a pair of two attached duplex dwelling units with a common masonry wall dividing the pair of duplex dwelling units vertically which are both located on one lot.
 - 45) o) “Townhouse Dwelling shall mean a building that is divided vertically into three or more dwelling units, each of which has independent entrances, to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.
2. THAT Section (45) b) be deleted in its entirety and replaced with the following:
 - (45) b) “Semi-Detached Dwelling” shall mean one of a pair of attached dwelling units that are divided from each other with a common masonry wall that divides the two dwelling units vertically and each of which is located on a separate lot with the common masonry wall

forming the lot line between each of the two dwelling units and where each of the two dwelling units has an independent entrance either directly from the outside or through a common vestibule.

3. THAT Section (45) j) "2-unit Dwelling" be deleted in its entirety.
4. THAT a new Section 25 be added to Part C immediately following Section 24 as follows:

25. **Second Unit Dwellings (Accessory Apartments)**

Notwithstanding any other provisions of this By-law to the contrary, a maximum of one Second Unit Dwelling shall be permitted in any single-detached, semi-detached or townhouse dwelling, provided that:

- 1) The second unit dwelling use is entirely within the same building as the main use on the same lot;
- 2) The use is accessory to the main use on the same lot;
- 3) The maximum floor area used for an accessory dwelling on a lot is 100 m² and shall not exceed 45% of the total floor area of the building (including basement or cellar);
- 4) Subsection 3) does not apply where the second unit dwelling is located entirely within the basement save and except for its entrance located on the ground floor;
- 5) A maximum of 2 bedrooms are permitted in each second unit dwelling;
- 6) A second unit dwelling is not permitted on a property where there is a converted dwelling, duplex dwelling, triplex dwelling, double duplex dwelling, semi-detached duplex dwelling, horizontal multiple attached dwelling, apartment dwelling, group housing, 3-unit housing, or coach house also situated;
- 7) A minimum of 1 parking space is provided for the second unit dwelling, in addition to parking required for the single detached, semi-detached or townhouse dwelling;

- 8) The lot has frontage on an open public maintained road; and
- 9) Any lot with a second unit dwelling shall provide and maintain a minimum of 40% of the front yard as landscaped open space.
- 10) The creation of a second unit dwelling must not result in any new doorway entrance added to the front wall, whether before, during, or after the creation of the second unit dwelling
- 11) Subsection 10) does not:
 - i. prohibit an internal lobby or vestibule with a common doorway entrance in the front wall; nor
 - ii. prohibit the creation of a secondary dwelling unit within a dwelling unit that already contains more than one doorway entrance in the front wall; nor
 - iii. require the removal of a doorway entrance to a house that already contains more than one doorway entrance in the front wall; nor
 - iv. prohibit the addition of one doorway entrance along the front wall of a dwelling unit on a corner lot where there is no doorway entrance along that front wall, but where there is one along the corner side wall of the dwelling unit.

5. THAT a new Section 26 be added to Part C immediately following Section 25 as follows:

26. **Coach Houses**

Notwithstanding any other provisions of this By-law to the contrary a maximum of one (1) coach house dwelling is permitted on a residential lot containing a single detached, semi-detached or townhouse dwelling, provided that:

- 1) The maximum floor area used for a coach house dwelling on a lot is 100 m² and shall not exceed 40% of the total floor area of the main

- building (including basement or cellar);
- 2) A maximum of 2 bedrooms are permitted in a coach house dwelling;
 - 3) A coach house dwelling is not permitted on a property where there is a converted dwelling, duplex dwelling, triplex dwelling, double duplex dwelling, semi-detached duplex dwelling, horizontal multiple attached dwelling, apartment dwelling, group housing, 3-unit housing, or a second unit dwelling also situated;
 - 4) A minimum of 1 parking space is provided for the coach house dwelling, in addition to parking required for the single detached, semi-detached or townhouse dwelling;
 - 5) Any lot with a coach house dwelling shall provide and maintain a minimum of 40% of the front yard as landscaped open space;
 - 6) The maximum lot coverage of the coach house dwelling shall not exceed 40% of the yard in which it is located;
 - 7) The coach house dwelling is prohibited from future severance;
 - 8) The minimum distance from side and rear lot lines shall be either the greater of 1.2 metres or the minimum distance from side and rear lot lines as established within the underlying zone;
 - 9) A minimum 1.2 metre-wide access from the coach house dwelling to a public street is provided;
 - 10) Other provisions for accessory buildings or structures as established within the underlying zone apply; and,
 - 11) The lot has frontage on an open public maintained road.

6. THIS BY-LAW shall come into force and effect upon final passing hereof, subject to the provisions of the Planning Act, R.S.O. 1990, c.P.12.

Read a first time this **13th** day of **November, 2018**.

Read a second time this **13th** day of **November, 2018**.

Read a third time and finally passed this **13th** day of **November, 2018**.

(Signature on file)
Taso Christopher, Mayor

(Signature on file)
Matt MacDonald, City Clerk

Statement of Purpose and Effect of By-Law Number 2018-185

The purpose of By-Law Number 2018-185 is to amend Zoning By-Law Number 10245, as amended, to permit second unit dwellings or coach house dwellings on residential lots containing a single detached, semi-detached or townhouse dwelling subject to meeting minimum regulations.

The effect of By-Law Number 2018-185 is to comply with the Province of Ontario's requirements for Municipalities to permit second unit dwellings or coach house dwellings on residential lots containing a single detached, semi-detached or townhouse dwelling subject to meeting minimum regulations.