BY-LAW NO. 2008-162

A BY-LAW TO AMEND BY-LAW NO. 97-102, "CATARAQUI NORTH ZONING BY-LAW" (Zone Change from Medium Density Residential (MDR) to Low Density Residential (LDR), Lots 112 to 117 and Blocks 124 to 132, Registered Plan 13M-69)

PASSED: September 2, 2008

WHEREAS by Order of the Minister of Municipal Affairs and Housing, The Corporation of the Township of Kingston, The Corporation of the Township of Pittsburgh and The Corporation of the City of Kingston were amalgamated on January 1, 1998 to form The Corporation of the City of Kingston as the successor municipal Corporation and pursuant to the Minister’s Order, any by-laws of the former municipality passed under the Planning Act continue as the by-laws covering the area of the former municipality now forming part of the new City;

AND WHEREAS the Council of The Corporation of the City of Kingston deems it advisable to amend By-Law No. 97-102, as amended, of the former Township of Kingston;

NOW THEREFORE the Council of The Corporation of the City of Kingston hereby ENACTS as follows.

1. By-Law No. 97-102 of The Corporation of the City of Kingston, entitled “Cataraqui North Zoning By-Law”, as amended, is hereby further amended as follows:

1.1. That the Zone Map of Zoning By-Law No. 97-102, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘MDR’ to ‘LDR’ as shown on Schedule ‘A’ attached hereto and forming part of By-Law No. 2008-162.

2. This By-Law shall come into force and take effect on its passing, provided no Notice of Appeal is filed to this By-Law, all in accordance with the provisions of Section 34, Subsections 19 and 30 of the Planning Act, R.S.O. 1990, c. P. 13; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the provisions of Section 34, Subsections 19 and 30 of the Planning Act, R.S.O. 1990, c. P. 13 apply and the By-Law shall be deemed to have come into force and take effect on the day it was passed.

GIVEN ALL THREE READINGS AND PASSED September 2, 2008

[CITY CLERK]

[SEAL]

[MAJOR]

[SEAL]
The Corporation of the City of Kingston

Schedule 'A' to By-law No. 2008-162

Legend:
- Subject Lands
- Rezoned from MDR to LDR

Certificate of Authentication
This is Schedule 'A' to By-law No. 2008-162
passed this 2nd day of September 2008.

Date: January 24, 2008
Prepared by: C. Thang

Mayor
Clerk
NOTICE OF PASSING
OF A ZONING BY-LAW BY

THE CORPORATION OF THE CITY OF KINGSTON

The Council of The Corporation of the City of Kingston passed By-Law No. 2008-162, "A BY-LAW TO AMEND BY-LAW NO. 97-102, 'CATARAQUI NORTH ZONING BY-LAW' (Zone Change from 'MDR' to 'LDR', Lots 112 to 117 and Blocks 124 to 132, Registered Plan 13M-69)" on the 2nd day of September, 2008, under Section 34 of the Planning Act, R.S.O. 1990, as amended.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-Law by filing with the Clerk of The Corporation of the City of Kingston not later than the 2nd day of October, 2008, a Notice of Appeal setting out the objection to the By-Law and the reasons in support of the objection. The objection must be accompanied by the fee required by the Ontario Municipal Board.

Only individuals, corporations and public bodies may appeal a Zoning By-Law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf. No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

AN EXPLANATION of the purpose and effect of the By-Law, describing the lands to which the By-Law applies, and a Key Map showing the location of the lands to which the By-Law applies are attached.

DATED at the City of Kingston
this 12th day of September, 2008

Carolyn Downs
City Clerk

Note: The Last Day For Filing Objections Will Be October 2nd, 2008.
The Objection Must Be Received By 4:30 pm at the Office of the Clerk, City Hall, 216 Ontario Street, by this Date In Order To Be Valid.

Any appeal submitted to the City of Kingston for referral to the Ontario Municipal Board must include the following:

1. the objection to the By-Law and the reasons in support of the objection;

2. the name and address of the appellant; and,

3. the fee required by the Ontario Municipal Board in the amount of $125.00 payable to the Minister of Finance, Province of Ontario.
EXPLANATORY NOTE CONCERNING BY-LAW NO. 2008-162

AREA AFFECTED: The property affected includes Lots 112 to 117 and Blocks 124 to 132, Registered Plan 13M-69, which are located on the north and south side of Crossfield Avenue, east of Anderson Drive.

PURPOSE: The purpose of the application is to amend the existing Medium Density Residential (MDR) zone to a Low Density Residential (LDR) zone.

EFFECT: The effect is to permit the development of single family dwellings.

KEY MAP: See attached.

The above is an explanation of the provisions of the amendment to the Zoning By-Law. For accurate reference, this amendment and the original By-Law No. 97-102 should be consulted at the Municipal Offices during regular business hours.
THE CORPORATION OF THE
CITY OF KINGSTON

Re: BY-LAW NO. 2008-162

A By-Law To Amend By-Law No. 97-102, "Cataract North Zoning By-Law" (Zone Change from Medium Density Residential (MDR) to Low Density Residential (LDR), Lots 112 to 117 and Blocks 124 to 132, Registered Plan 13M-69)(See Clause (3), Report No. 98)

EFFECTIVE DATE: September 2, 2008

I, Carolyn Downs, hereby certify that the notice for BY-LAW NO. 2008-162 of The Corporation of The City of Kingston, passed by the Council of The Corporation of the City of Kingston on the 2nd day of September, 2008 was given in the manner and form and to the persons prescribed by Ontario Regulation 199/96, made by the Lieutenant Governor-in-Council under subsections 17 and 34 of the Planning Act, R.S.O. 1990, c. P.13. I also certify that the 20 day appeal period expired on the 2nd day of October, 2008 and to this date no notice of appeal setting out an objection to the by-law has been filed in the Office of the Clerk.

DATED at Kingston, Ontario
This 15th day of October, 2008

Carolyn Downs, City Clerk
The Corporation of the City of Kingston