BY-LAW NO. 2010-

A BY-LAW TO AMEND THE OFFICIAL PLAN FOR THE CITY OF KINGSTON PLANNING AREA
(AMENDMENT NO. 3 – To change the properties known municipally as 1293 Princess Street to 1343 Princess Street inclusive from ‘Arterial Commercial’ to an ‘Arterial Commercial Site Specific Policy Area No. 42’)

PASSED: , 2010

WHEREAS a public meeting was held regarding this amendment on June 17, 2010;

NOW THEREFORE the Council of The Corporation of the City of Kingston, in accordance with the provisions of Section 17 of the Planning Act, R.S.O. 1990, c.P13, hereby enacts as follows:

1. The Official Plan for the City of Kingston is hereby amended by the following map change which shall constitute Amendment No. 3 to the Official Plan for the City of Kingston.

   (a) AMEND Schedule ‘3-D, Site Specific Policies’ of the Official Plan for the City of Kingston, so as to designate properties located from 1293 Princess Street to 1343 Princess Street inclusive, as shown on Schedule ‘A’ to By-Law No. 2010-__, as ‘Site Specific Policy Area No. 42’.

2. That the Official Plan for the City of Kingston, as amended, be further amended by adding the following new Site Specific Policy as Section 3.18.42:

   “1293 Princess St. to 1343 Princess St.
   Schedule 3-D,
   SSP No. 42

   3.18.42 The properties from 1293 Princess Street to 1343 Princess Street inclusive, are within the Arterial Commercial designation as shown on Schedule 3-A. The Plan recognizes that as these properties, shown on Schedule 3-D as SSP No. 42, undergo a transition from low-density residential use to Arterial Commercial uses, the following site specific policies shall guide the development/redevelopment of these lands:

   a. Uses on these properties shall include permitted Arterial Commercial and existing Residential uses and small-scale service oriented office and financial services uses such as real estate, insurance, branch banks, medical and professional uses;
   b. Commercial uses will be limited to those uses which will be compatible with the residential character of the area;
   c. A comprehensive program of land assembly will be encouraged;
   d. Any commercial developments are required to support the residential character of the area in terms of building design, landscaping, rear yard parking, and building location on the lot;
   e. Vehicular access to the area from Alexander Street will be prohibited;
   f. The number of vehicular access points from Princess Street shall be minimized in the context of redevelopment and project design;
g. Development or redevelopment will require the provision of adequate impact mitigation measures such as the provision of buffers, landscaping, site design, building arrangements and building design to ensure compatibility with any adjacent residential uses. “

3. This By-Law shall come into force and take effect on the day that is the day after the last day for filing an appeal pursuant to the Planning Act, provided that no Notice of Appeal is filed to this By-Law in accordance with the provisions of Section 17, Subsection 24 of the Planning Act, as amended; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the By-Law shall be deemed to have come into force and take effect on the day the appeals are withdrawn or dismissed, as the case may be.

GIVEN ALL THREE READINGS AND PASSED August, 2010

CITY CLERK

MAYOR
BY-LAW NO. 2010-___

A BY-LAW TO AMEND BY-LAW NO. 8499, “RESTRICTED AREA (ZONING) BY-LAW OF THE CORPORATION OF THE CITY OF KINGSTON” (Zone Change from ‘A’ to ‘B3.395’, 326 Alfred Street)

PASSED: ____, 2010

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. 8499, as amended, of the former City of Kingston;

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

1. By-Law No. 8499 of The Corporation of the City of Kingston, entitled “Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston”, as amended, is hereby further amended as follows:

1.1 That Zoning Schedule “A”, Map 19 of Zoning By-Law No. 8499, as amended, is hereby further amended by changing the zone symbol to ‘B3.395’ of the lands shown as “Subject Lands Rezoned from A to B3.395” on Schedule “A” attached hereto and forming part of amending By-Law No. 2010-__.

1.2 That the By-Law be amended by the addition of the following section to Part VIII – EXCEPTIONS TO VARIOUS ZONE CLASSIFICATIONS:

“395. 326 Alfred Street

Notwithstanding any provisions of Section 16 hereof to the contrary, on the lands zoned ‘B3.395’ on Schedule “A” attached hereto, the following provisions shall apply:

a) PERMITTED USE: multiple family dwelling

b) MINIMUM YARDS:

   (i) north property line – 4.6 metres
   (ii) from Alfred Street – 1.5 metres
   (iii) south property line – 8.5 metres
   (iv) from Frontenac Street – 53 metres

c) MAXIMUM BUILDING HEIGHT: 10.5 metres

d) MAXIMUM LOT OCCUPANCY: 110%
e) MAXIMUM NUMBER OF RESIDENTIAL UNITS: 18

f) MAXIMUM NUMBER OF BEDROOMS PER UNIT: 3

g) MAXIMUM NUMBER OF BEDROOMS: 48

h) MINIMUM NUMBER OF ON-SITE PARKING SPACES: 18 parking spaces

i) MINIMUM SIZE OF A PARKING SPACE: 2.6 metres wide by 6.0 metres long

j) MINIMUM AMENITY SPACE AREA: 775 square metres

k) Notwithstanding any provisions of Section 5.8 hereof to the contrary, on the lands zoned ‘B3.395’ on Schedule “A” attached hereto, the following provisions shall apply:

PROJECTION INTO YARDS:
(i) A covered or uncovered unenclosed porch, deck, balcony or veranda may project out from the main building wall providing it is no closer than 3.7 metres to the north lot line and 7.0 metres to the south lot line.

(ii) Uncovered steps may project 1.4 metres out from a covered or uncovered unenclosed porch, deck, or veranda providing it is no closer than 5.7 metres to the south lot line.

(iii) A step and covered or uncovered unenclosed porch may project out from the main building wall up to the front lot line.

(iv) There shall be no minimum setback from the interior side lot line of a common party wall for a covered or uncovered unenclosed porch, deck, balcony, step or veranda.

(v) Cornices, eaves, belt courses, sills, canopies, or other similar architectural features (not including bay windows or vertical projections) may extend or project into a required side yard not more than 0.6 metres and may extend or project into a required front yard not more than 0.8 metres. Chimneys may also project into a required front, side, or rear yard not more than 0.3 metres."

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 ________, _____, 2010

CITY CLERK

MAYOR
BY-LAW NO. 2010-___

A BY-LAW TO AMEND BY-LAW NO. 8499, “RESTRICTED AREA (ZONING) BY-LAW OF THE CORPORATION OF THE CITY OF KINGSTON” (Zone Change from ‘P.98’ to ‘P1.387’, 370 King Street West)

PASSED:

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. 8499, as amended, of the former City of Kingston;

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

1. By-Law No. 8499 of The Corporation of the City of Kingston, entitled “Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston”, as amended, is hereby further amended as follows:

1.1. Map 29 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘P.98’ to ‘P1.387’, as shown on Schedule “A” attached to and forming part of By-Law No. 2010-___.

1.2. By Adding a new subsection 387 to Part VIII (387) thereto as follows:

“(387) ‘P1.387’, 370 King Street West

Notwithstanding the provisions of Section 33 hereof to the contrary, for the lands designated ‘P1.387’ on Schedule ‘A’ to By-Law No. 2010 - __, the following regulations shall apply:

a) That notwithstanding any provisions to the contrary the lands subject to the provisions of the ‘P1.387’ Zone shall be applied as though the lands are single parcel for zoning purposes.

b) Maximum Height – 33 metres

c) Minimum Front, Side and Rear Yards – 0.0 metres

d) Off-Street Parking –
   i. Notwithstanding Section 5.3 to the contrary no off-street parking is required; and
   ii. Notwithstanding any regulation to the contrary the subject property shall be deleted from Schedule K of Zoning By-Law No. 8499.
e) **Off-Street Loading** – Notwithstanding Section 5.4 to the contrary one loading area measuring 3.0 metres wide and 7.5 metres long shall be provided within the P1.387 Zone.”

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**

**CITY CLERK**

**MAYOR**