

By-Law Number 2015-XX

A By-Law to Amend By-Law Number 96-259, “Downtown and Harbour Zoning By-Law of the Corporation of the City of Kingston” (Zone Change from Neighbourhood Fringe Commercial Zone ‘C1-1’ to Site-Specific Central Business Commercial Zone ‘C1-40’, 228-230 Brock Street and 122-126 Sydenham Street)

Passed: Meeting date, 2015

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 Number 96-259, as amended, of the former City of Kingston; and

Therefore be it resolved that the Council of the Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 96-529 of The Corporation of the City of Kingston, entitled “Downtown and Harbour Zoning By-Law of The Corporation of the City of Kingston”, as amended, is hereby further amended as follows:

1.1 Zoning Schedule “A” Map 1 as amended, is hereby further amended by changing the zone symbol of the subject site from ‘C1-1’ to ‘C1-40’, as shown on Schedule “A” attached to and forming part of By-Law Number 2015-____.

1.2. By **Adding** the following section 7.3.40 in Section 7.3 – Specific C1 Zones, as follows:

“7.3.40. 228-230 Brock Street and 122-126 Sydenham Street (C1-40)

Notwithstanding the provisions of Section 5 and Section 7 of this by-law to the contrary, on the lands zoned ‘C1-40’ on Schedule ‘A’ attached hereto, the following provisions shall apply:

7.3.40.1 Zoning Interpretation

For the purposes of zoning interpretation the lands within the 'C1-40' Zone shall be treated as a single parcel.

7.3.40.2 Permitted Uses

The permitted uses in the C1-40 Zone shall also include:

- a. A wholly residential building containing a maximum of 12 apartment units at 228 Brock Street, including 122-126 Sydenham Street; and a maximum 3 units at 230 Brock Street;

7.3.40.3 Conversion of Commercial Buildings for Residential Use

Residential uses may be permitted on the ground floor.

7.3.40.4 Maximum Density for the C1-40 Zone

- a. 235 units / net hectare;

7.3.40.5 Minimum Number of Parking Spaces for the C1-40 Zone

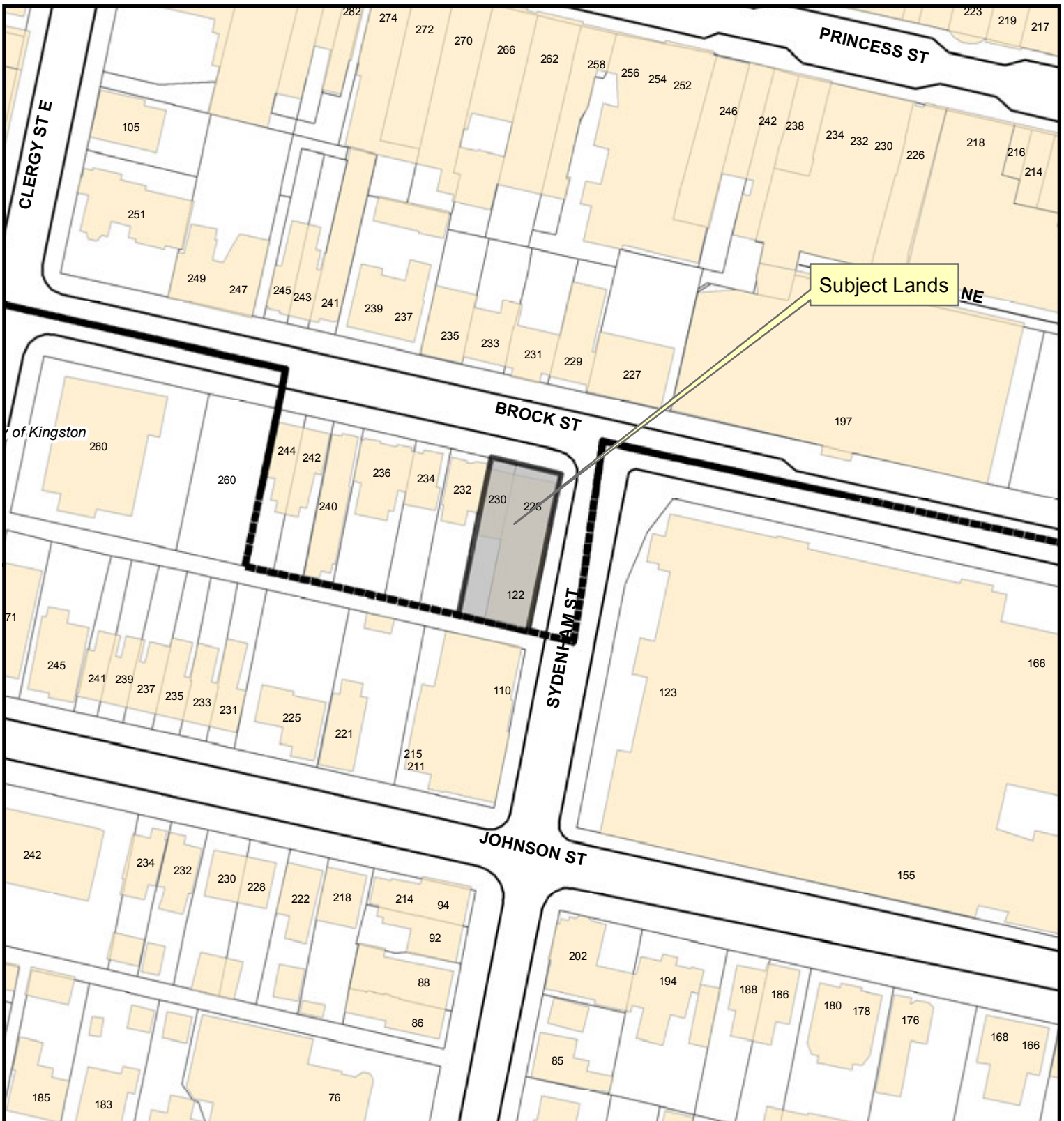
- a. 6."

2. This By-Law shall come into force and take effect on the day it is passed subject to and in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13 as amended from time to time.

Given all Three Readings and Passed: XXXXX, 2015.

John Bolognone
City Clerk

Bryan Paterson
Mayor




**Planning, Building
& Licensing Services**
a department of
**Community
Services**

THE CORPORATION OF THE CITY OF KINGSTON
**SCHEDULE 'A' TO BY-
LAW NUMBER**

Applicant: FOTENN
File Number: D14-127-2015
Address: 228-230 Brock Street & 122-126 Sydenham
Legal Description: PLAN B21 LOT 7 E PT B 38/
PLAN B21 PT LOT 7 B 38
ARN: 1011010110021000035/
1011010110020000000

Legend:

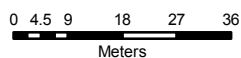
Reference By-Law 96-259, Map1

 Subject Lands Rezoned from C1-1 to C1-40

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____,
passed this _____ day of _____ 2015.

PREPARED BY: J. Partridge
DATE: 8/10/2015



Mayor

Clerk

By-Law Number 2015-XX

**A By-Law to Amend the Official Plan for the City of Kingston Planning Area
(Amendment Number 40, 355 & 380 Holden Street)**

Passed: Meeting date, 2015

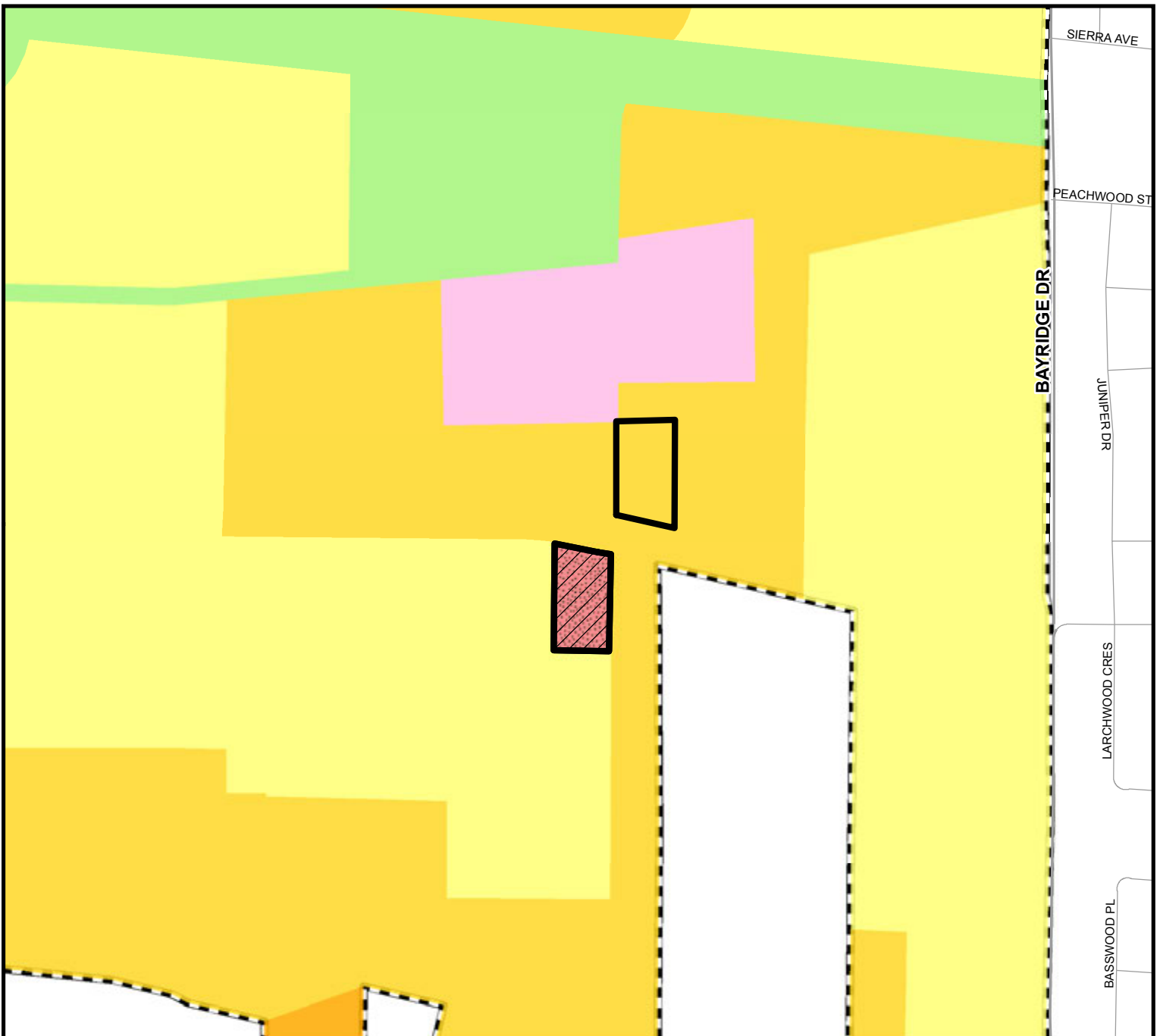
Now therefore the Council of The Corporation of the City of Kingston, in accordance with the provisions of Section 17 of the *Planning Act*, R.S.O. 1990, c.P13 hereby enacts as follows:

1. The Official Plan for the City of Kingston is hereby amended by the following map changes which shall constitute Amendment Number 40 to the Official Plan for the City of Kingston.
 - (a) **Amend** Schedule 'CW-1, Cataraqui West Secondary Plan', of the City of Kingston Official Plan, to re-designate the lands as shown on Schedule 'A' to By-Law Number 2015-____, from 'District Commercial' to 'Low Density Residential' and from 'Medium Density Residential' to 'District Commercial'
2. That the City of Kingston Official Plan, as amended, be further amended by the following policy change.
 - (a) **Amend** Section 10D.4.1. by deleting in the first sentence the words "the south-west corner of the extension of Cataraqui Woods Drive, a collector, and the extension of Potter Street" and replacing with "the intersection of Cataraqui Woods Drive, a collector, and Holden Street".
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: Meeting date, 2015

John Bolognone
City Clerk

Bryan Paterson
Mayor



LEGEND

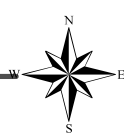
- MAJOR ROAD
- LOCAL ROAD OR PRIVATE LANE
- ARTERIAL COMMERCIAL
- DISTRICT COMMERCIAL
- EPA
- INSTITUTION
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- OPEN SPACE
- AREA TO WHICH THIS SCHEDULE APPLIES



Planning, Building & Licensing Services
a department of Community Services

THE CORPORATION OF THE CITY OF KINGSTON
SCHEDULE 'A' TO BY-LAW _____
Official Plan Amendment No. 40

Applicant: Tamarack (Catarqui West 2) Corp.
File Number: D09-028-2015
Address: 355 & 380 Holden Street
Legal Description: PART OF LOT 6
CONCESSION 3
ARN: 1011080200008150000



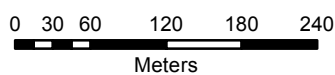
Legend:

Official Plan Schedule CW-1, Land Use
City of Kingston

- Lands Subject to change from Medium Density Residential to District Commercial
- Lands Subject to change from District Commercial to Low Density Residential

Certificate of Authentication

This is Schedule 'A' to By-Law No. _____
passed this ____ day of ____ 2015



PREPARED BY: J. Partridge
DATE: 8/19/2015

Mayor Clerk

By-Law Number 2015-XX

A By-Law to Amend By-Law Number 76-26, “A By-Law to Regulate the use of lands and the Character, Location and use of Buildings and Structures in The Township of Kingston” (Zone Change from ‘R2-41-H’ and ‘C5-12-H’ to ‘R2-42-H’, 355 Holden Street)

Passed: Meeting date, 2015

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 Number 76-26, as amended, of the former Township of Kingston;

Therefore be it resolved that the Council of the Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 76-26 of The Corporation of the City of Kingston, entitled “A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in the Township of Kingston”, as amended, is hereby further amended as follows:

1.1. Map 3 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject lands from ‘R2-41-H’ and ‘C5-12-H’ to ‘R2-42-H’, as shown on Schedule “A” attached to and forming part of By-Law Number 2015-_____.

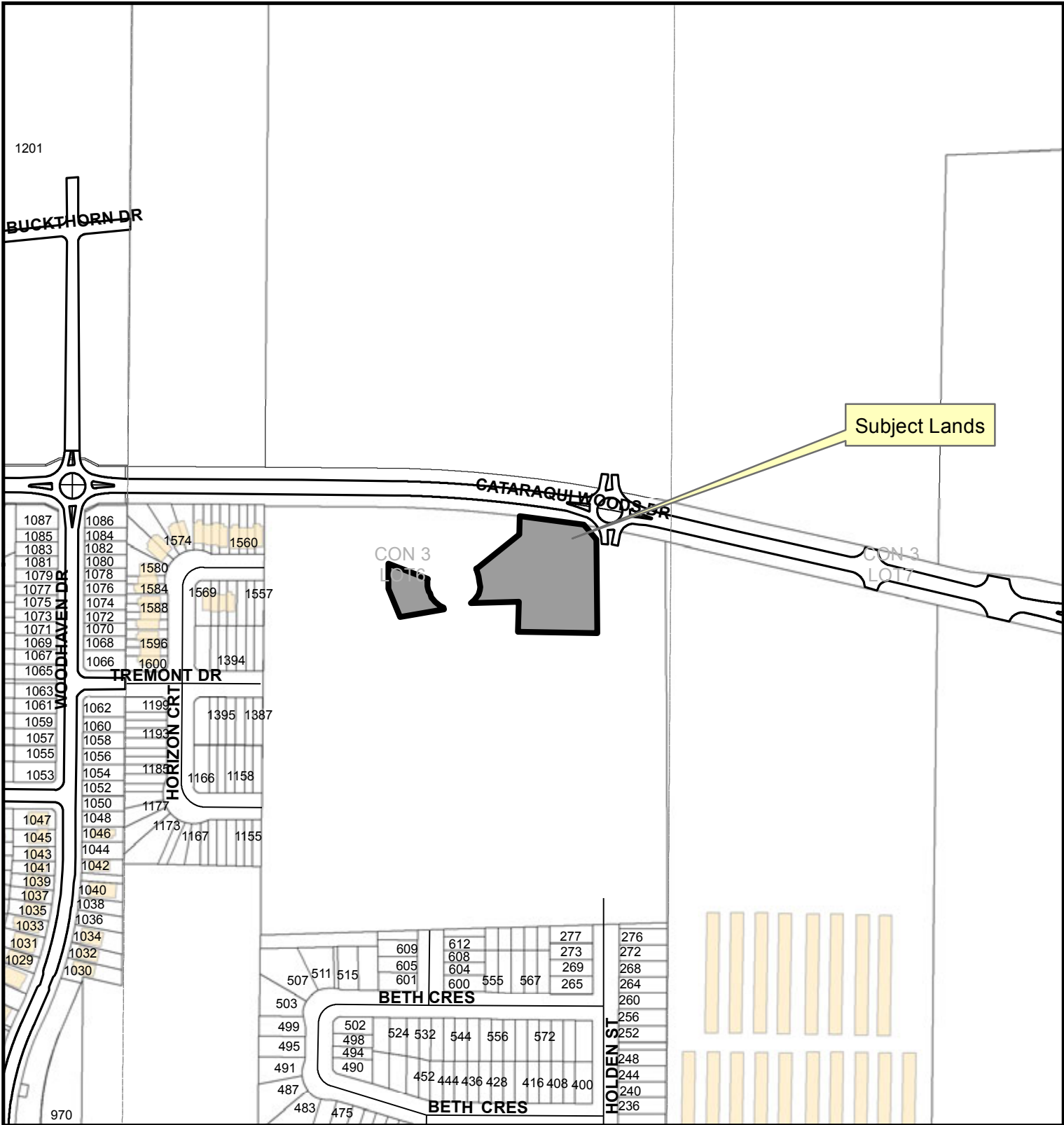
1.2. By **Deleting** Section 22(3)(m)

2. This By-Law shall come into force and take effect on the day it is passed subject to and in accordance with the provisions of the Planning Act, R.S.O. 1990, c. P. 13 as amended from time to time.

Given all Three Readings and Passed: Meeting date, 2015

John Bolognone
City Clerk

Bryan Paterson
Mayor




Planning, Building
& Licensing Services
a department of
Community
Services

THE CORPORATION OF THE CITY OF KINGSTON

**SCHEDULE 'A' TO
BY-LAW NUMBER _____**

Applicant: Tamarack (Cataraqui West 2) Corp.
File Number: D14-115-2015
Address: 355 Holden Street
Legal Description: PART OF LOT 6
CONCESSION 3
ARN: 1011080200008150000

Legend:

Reference By-Law 76-26 Map 3
 Rezoned from C5-12-H/R2-41-H to R2-42-H

Certificate of Authentication

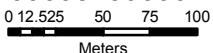
This is Schedule 'A' to By-Law Number _____,
passed this _____ day of _____ 2015.



Mayor

Clerk

PREPARED BY: A. Dowker
DATE: 8/18/2015



By-Law Number 2015-xxx

**A By-Law to Amend The Official Plan for The City of Kingston Planning Area
(Amendment Number 41, 1110 and 1150 Gardiners Road)**

Passed: date passed, 2015

Whereas a public meeting was held regarding this amendment on May 7, 2015;

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 and text changes which shall constitute Amendment Number 41 to the Official Plan for the City of Kingston.
 - (a) **Amend** 'Schedule 3-A, Land Use', of the City of Kingston Official Plan, to designate the lands located at 1110 and 1150 Gardiners Road, as shown on Schedule 'A' to By-Law Number 2015-__ from 'General Industrial' to 'Business Park Industrial';
 - (b) **Add** the following new Site Specific Policy as Section 3.18.53:
"1110 and 1150 Gardiners Road
Schedule 3-D,
SSP Number 53
On the lands located southeast of the intersection of Gardiners Road and Cataraqui Woods Drive, permitted uses within the existing building located on the lands municipally known as 1150 Gardiners Road shall also include warehouse and distribution centre"

2. 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 , 2015

John Bolognone
City Clerk

Bryan Paterson
Mayor



LEGEND

RESIDENTIAL

- RESIDENTIAL
- ESTATE RESIDENTIAL

COMMERCIAL

- CENTRAL BUSINESS DISTRICT
- REGIONAL COMMERCIAL
- MAIN STREET COMMERCIAL
- DISTRICT COMMERCIAL
- ARTERIAL COMMERCIAL

EMPLOYMENT

- BUSINESS PARK INDUSTRIAL
- GENERAL INDUSTRIAL
- WASTE MANAGEMENT INDUSTRIAL
- AIRPORT

RURAL

- RURAL AREA
- PRIME AGRICULTURAL AREA
- RURAL COMMERCIAL

- RURAL INDUSTRIAL
- MINERAL RESOURCE AREA

OTHER

- INSTITUTIONAL
- DEFERRED AREA
- OPEN SPACE
- ENVIRONMENTAL PROTECTION AREA



Planning, Building & Licensing Services
a department of
Community Services

PREPARED BY: J. Partridge
DATE: 8/27/2015

THE CORPORATION OF THE CITY OF KINGSTON
SCHEDULE 'A' TO BY-LAW _____
Official Plan Amendment Number 41

Applicant: 1025970 Ontario Ltd.
File Number: D09-027-2015
Address: 1110 & 1150 Gardiners Road
Legal Description: CON 3 PT LOT 11
RP 13R5521;PART 1 RP 13R7374 PART
1 RP;13R8636 PART 1 RP 13R9989;PARTS
1 AND 4 PT PARTS 2 AND;3 RP 13R17987 PART 2
ARN: Various: 1011080190125400000/
1011080190125550000



Metres
0 50 0 20 30 40

Legend:

Official Plan Schedule 3-A, Land Use
City of Kingston

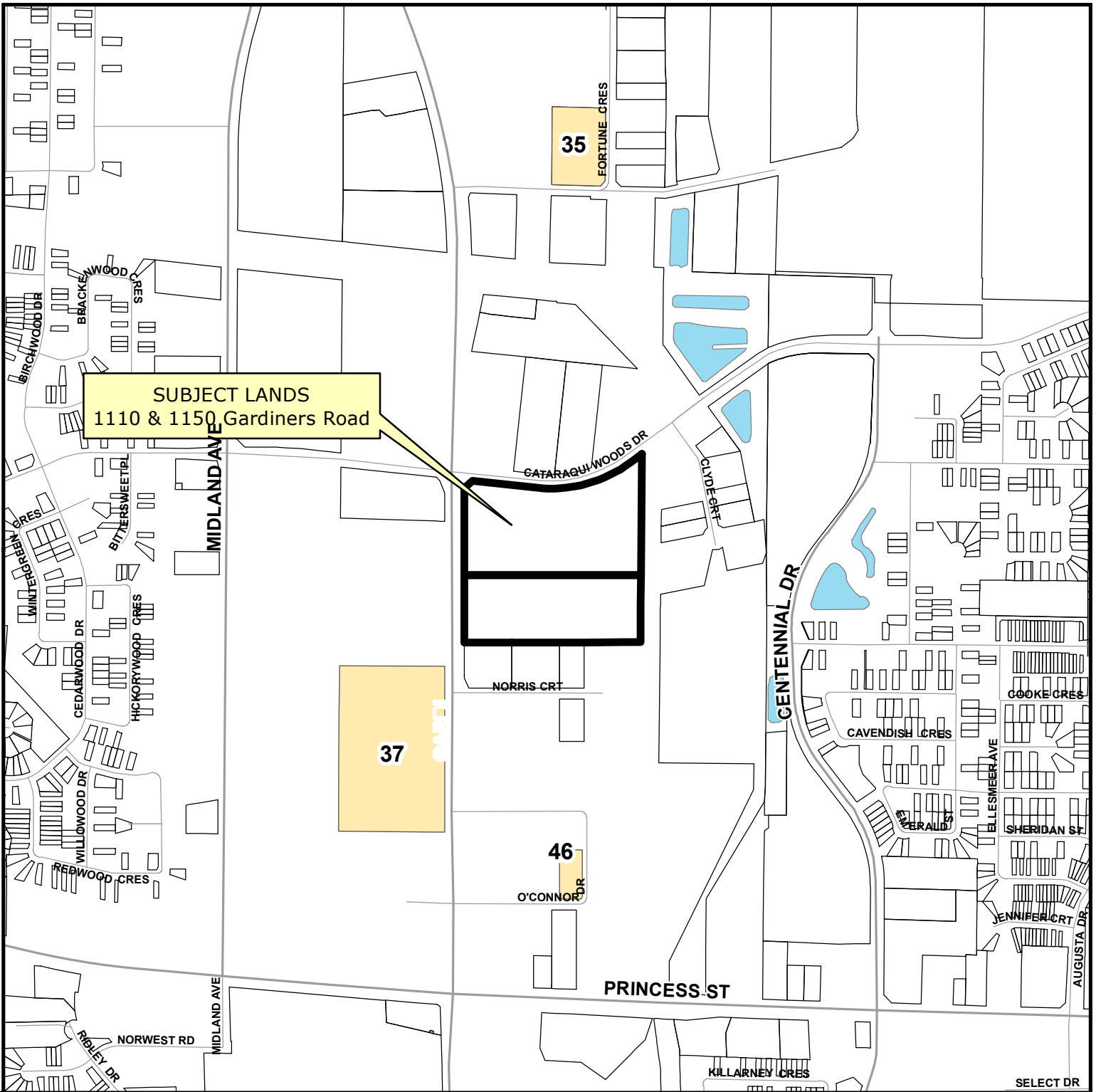
- Lands Subject to change from General Industrial to Business Park Industrial

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____
passed this ____ day of ____ 2015

Mayor

Clerk



SUBJECT LANDS
1110 & 1150 Gardiners Road



THE CORPORATION OF THE CITY OF KINGSTON
SCHEDULE 'B' TO BY-LAW _____
Official Plan Amendment Number 41

Planning, Building & Licensing Services
 a department of
Community Services

Applicant: 1025970 Ontario Ltd.
 File Number: D09-027-2015
 Address: 1110 & 1150 Gardiners Road
 Legal Description: CON 3 PT LOT 11
 RP 13R5521;PART 1 RP 13R7374 PART
 1 RP;13R8636 PART 1 RP 13R9989;PARTS
 1 AND 4 PT PARTS 2 AND;3 RP 13R17987 PART 2
 ARN: Various: 101108019012540000/
 101108019012555000

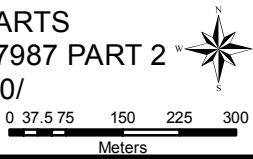
Legend:
Official Plan Schedule 3-D, Site Specific Policies, City of Kingston

- Lands Subject to Site-specific Policy Area 53
- Existing Site Specific Policy Area

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____
 passed this _____ day of _____ 2015

PREPARED BY: J. Partridge
 DATE: 8/27/2015



 Mayor Clerk

By-Law Number 2015-XX

A By-Law to Amend By-Law Number 76-26, “A By-Law to Regulate the use of lands and the Character, Location and use of Buildings and Structures in The Township of Kingston” (Zone Change from Restricted General Industrial ‘M6’ Zone and Special Restricted Industrial ‘M6-3’ Zone to Special Business Park ‘BP-5’ Zone, 1110 and 1150 Gardiners Road)

Passed: Meeting date, 2015

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 Number 76-26, as amended, of the former Township of Kingston;

Therefore be it resolved that the Council of the Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 76-26 of The Corporation of the City of Kingston, entitled “A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in the Township of Kingston”, as amended, is hereby further amended as follows:

1.1. Map 3 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘M6’ and ‘M6-3’ to ‘BP-5’, as shown on Schedule “A” attached to and forming part of By-Law Number 2015-____.

1.2. By **Adding** a new subsection 30A 3(d) thereto as follows:

“(d) **BP-5 - 1110 and 1150 Gardiners Road**

Notwithstanding the provisions of Sections 5 and 30A hereof to the contrary, the lands designated ‘BP-5’ on Schedule ‘A’ hereto, the following regulations shall apply:

- i) Residential uses are prohibited.
- ii) Permitted Business Park Uses:
 - a. Business Office;
 - b. Administrative, professional and technical services, such as printing and equipment repair, which are intended to support the business park area;
 - c. Professional office;
 - d. Data processing and related services operation;
 - e. Film or recording studio;
 - f. Laboratory, research, or development facility;
 - g. Printing establishment;
 - h. Commercial School;
 - i. Dry cleaning and related services;
 - j. Technologically advanced manufacturing;
 - k. Veterinary clinic;
 - l. Technical training facility
- iii) Permitted Commercial Uses:
 - a. Club, private;
 - b. Club, commercial;
 - c. Clinic;
 - d. Restaurant and patio;
 - e. Restaurant, freestanding;
 - f. Restaurant, take-out;
 - g. Personal service shop;
 - h. Bank or financial institution
- iv) Permitted uses within the existing building at 1150 Gardiners Road also include warehousing and distribution centres.
- v) Permitted commercial uses shall be limited to a maximum of 25% of the built gross floor area on the property.
- vi) Accessory Uses:

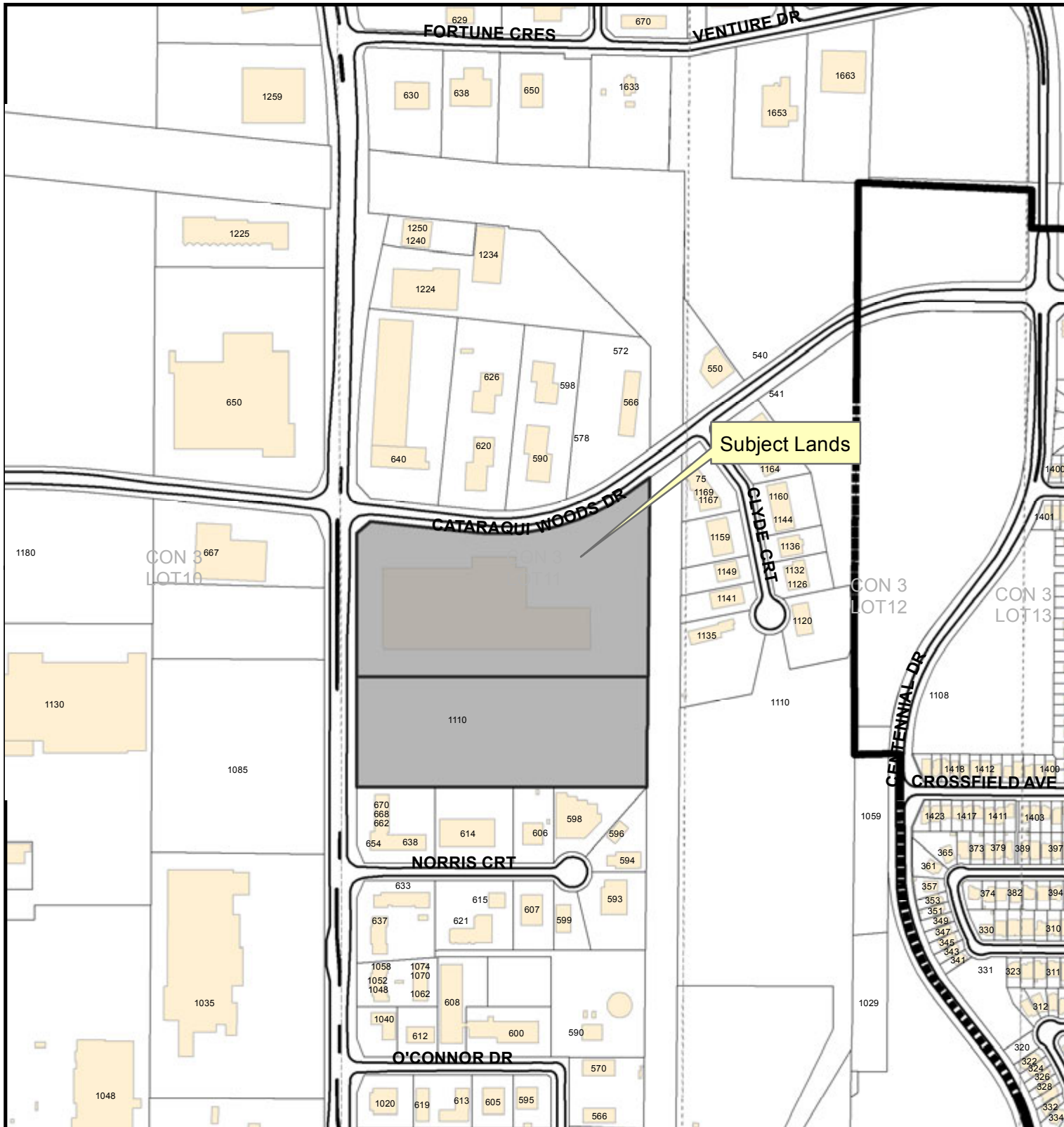
- a. Accessory uses are permitted in accordance with the General Provisions unless otherwise specified;
- b. Accessory retail uses associated with the sale of products assembled and manufactured on the site and any permitted non-residential uses shall be restricted to a maximum 25% of the built gross floor area of any single tenant or business.
- vii) Minimum Front Yard Depth: 7 metres
- viii) Minimum Side Yard Depth: 3 metres
- ix) Maximum Lot coverage: 60%
- x) Landscaped Open Space:
 - a. 10% landscaped area at 1150 Gardiners Road;
 - b. 20% landscaped area at 1110 Gardiners Road;
 - c. 7 metres along an arterial road. A 2 metre landscaping strip abutting an interior lot line shall not be required. No landscape buffer shall be required for the existing building at 1150 Gardiners Road.
- xi) Parking
 - a. Required parking ratio: 3.4 spaces per 100 square metres of gross floor area;
 - b. Parking is prohibited within 5 metres from any street line;
 - c. Parking stall design standard: 2.6 metres wide and 5.2 metres long;
 - d. Barrier free parking stall design standards: 3.7 metres wide and 5.2 metres long.

2. This By-Law shall come into force and take effect on the day it is passed subject to and in accordance with the provisions of the Planning Act, R.S.O. 1990, c. P. 13 as amended from time to time.

Given all Three Readings and Passed: Meeting date, 2015

John Bolognone
City Clerk

Bryan Paterson
Mayor



Subject Lands



Planning, Building & Licensing Services
a department of
Community Services


THE CORPORATION OF THE CITY OF KINGSTON

**SCHEDULE 'A' TO
BY-LAW NUMBER**

Applicant: 1025970 Ontario Ltd.
File Number: D14-112-2015
Address: 1110 & 1150 Gardiners Road
Legal Description: CON 3 PT LOT 11
RP 13R5521;PART 1 RP 13R7374 PART
1 RP;13R8636 PART 1 RP 13R9989;PARTS
1 AND 4 PT PARTS 2 AND;3 RP 13R17987 PART 2
ARN: Various: 1011080190125400000/
1011080190125550000

Legend:

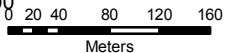
Reference By-Law 76-26, Map 3

 Subject Lands Rezoned from M6-3/M6 to BP-5

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____,
passed this _____ day of _____ 2015.

PREPARED BY: J. Partridge
DATE: 8/27/2015



Mayor _____

Clerk _____