

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 Institutional Zone ‘I’ to site-specific General Industrial Zone ‘M1-14’, 1660-1674 Sydenham 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;

And That Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passing of the by-law;

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 1 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘I’ to ‘M1-14’, as shown on Schedule “A” attached to and forming part of By-Law Number 2015-_____.

1.2. By **Adding** a new subsection 24(3)(n) thereto as follows:

“(n) **M1-14 (1660-1674 Sydenham Road)**

Notwithstanding the provisions of Section 4 and Section 24 hereof to the contrary, on the lands designated ‘M1-14’ on Schedule ‘A’ hereto and known municipally as 1660-1674 Sydenham Road, the following regulations shall apply:

- (i) For the purposes of the M1-14 Zone, the following definitions shall apply:
 - (a) "Self-service Storage Facility" means a facility designed and used for the purpose of renting or leasing individual secured storage units, which are generally accessible by means of individual loading doors, to tenants who are to have access to such units for the purpose of storing and removing property. Property may include personal property such as: general merchandise, furniture, household items, licensed vehicles, equipment, tractors and recreational vehicles; hazardous materials such as: explosives, radioactive materials, flammable or hazardous chemicals or goods which produce noxious odours are prohibited.
 - (b) "Recreational Vehicle" means any vehicle, or portable structure designed to be towed or carried by a vehicle, which is used for temporary recreational travel and/or accommodation and shall include motor homes, camper trailers, converted buses, boats and boat trailers or similar equipment.
- (ii) Permitted uses:

The lands designated as M1-14 on Schedule 'A' hereto shall be used for no purpose other than the following uses:

 - (a) Residential Uses:
 - an accessory dwelling unit.
 - (b) Non-Residential Uses:
 - an automobile body shop limited to a maximum floor area of 561.7 square metres;
 - a self-service storage facility;
 - an open storage area;
 - a warehouse.
- (iii) Prohibited uses:
 - (a) a salvage yard;

- (b) hazardous material storage such as that of explosives, radioactive materials, flammable or hazardous chemicals or goods which produce noxious odours.

(iv) Open Storage Area:

For the purposes of the M1-14 Zone, no open storage of goods or materials shall be permitted, except in accordance with the following provisions:

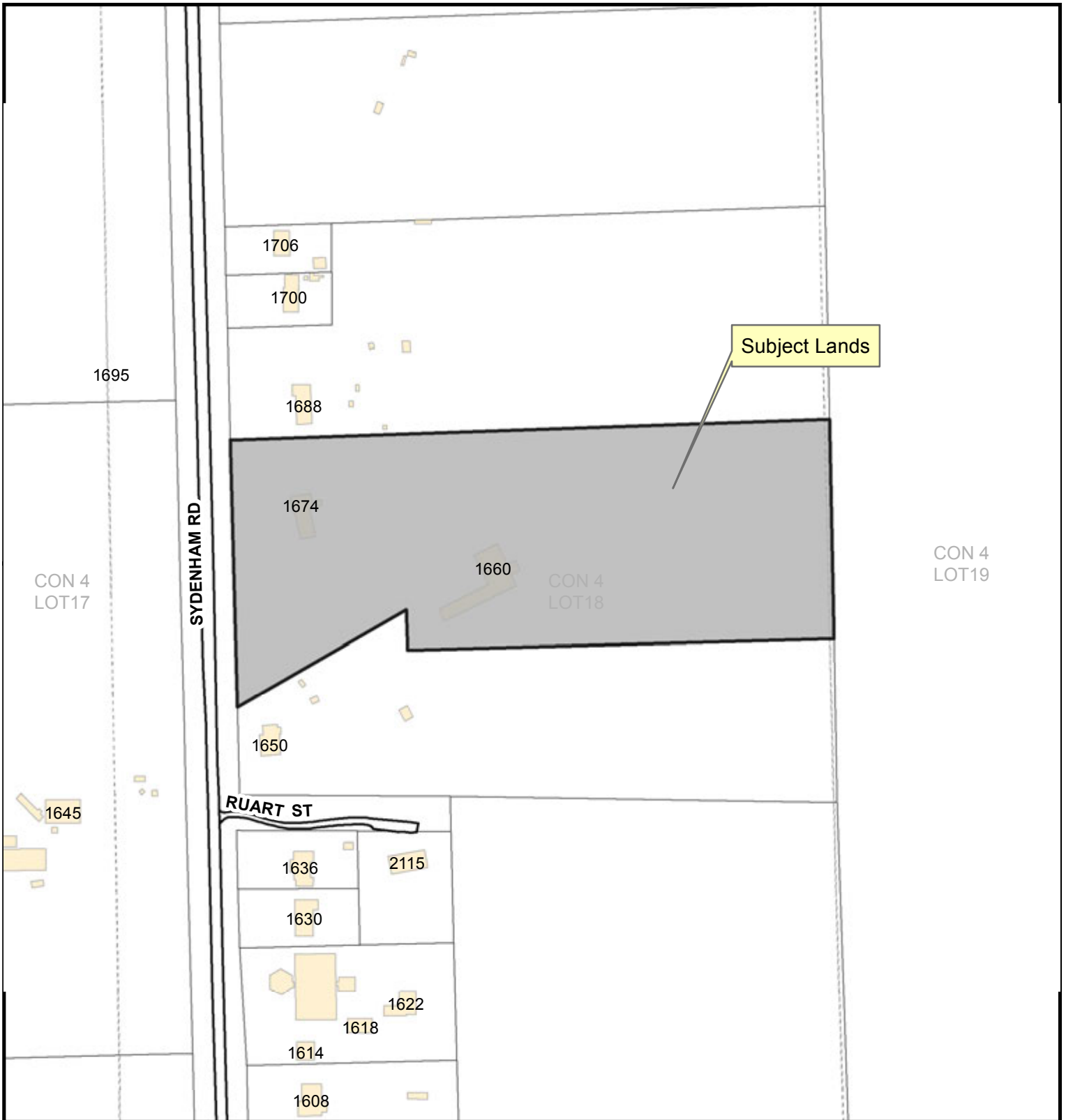
- (a) Every open storage area shall be accessory to the main use of the Self-service Storage Facility use and may include licensed vehicles, equipment, tractors, commercial vehicles and recreational vehicles.
- (b) Every open storage area shall comply with the yard setback provisions of Section 5(20) and Section 24(2)(c)(ii) hereof as if such open storage area were a building or structure.
- (c) An open storage area shall be limited to an area approved through the Site Plan Control process.
- (d) Notwithstanding paragraph (b) above, no open storage area shall be located in a front yard, or an interior side or rear yard which abuts a Residential Zone or a Development 'D' Zone.
- (e) Every open storage area shall be visually screened and enclosed within a solid fence which is not less than 2.4 metres in height, constructed of durable materials and maintained in good condition."

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**

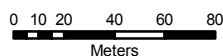
a department of
**Community
Services**

Prepared By: A. Dowker
Date: 3/25/2015

THE CORPORATION OF THE CITY OF KINGSTON

**Schedule 'A'
To By-Law Number**

Applicant: Tomlinson Environmental
Services Ltd., Bronwen Heins
File Number: D14-247-2012
Address: 1660 & 1674 Sydenham Rd
Legal Description: CON 4 PT LOT 18
ARN: 101108025015300



Legend:

Reference By-Law 76-26 Map 1

Subject Lands Rezoned from 'I' to 'M1-14'

Certificate of Authentication

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

Mayor

Clerk