

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 Development ‘D’ Zone to Special Holding Residential Type 4 ‘R4-32-H’ Zone, 3566 Princess Street)

Passed: December 15, 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:

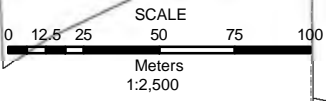
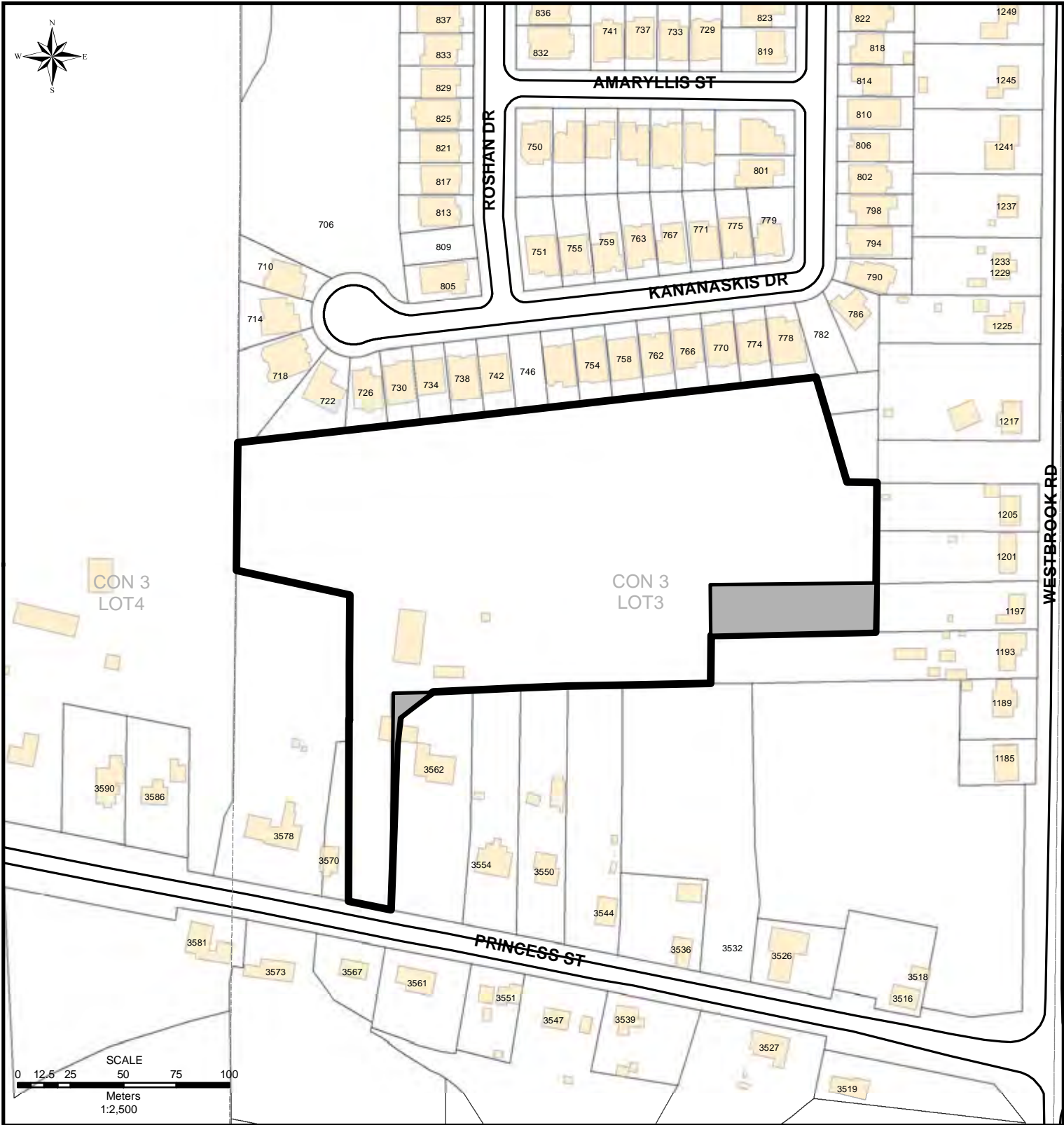
1.1. Map 2 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of portions of the subject site from Development ‘D’ to Special Holding Residential Type 4 ‘R4-32-H’, as shown on Schedule “A” attached to and forming part of By-Law Number 2016-XX.

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: December 15, 2015

John Bolognone
City Clerk

Bryan Paterson
Mayor



THE CORPORATION OF THE CITY OF KINGSTON

SCHEDULE 'A' TO BY-LAW NUMBER


Applicant: S.S.B. Associates Inc.
File Number: D14-049-2013
Address: 3566 Princess Street
Legal Description: PLAN 13M64 BLK 106
ARN: 1011080220186100000


Planning, Building
& Licensing Services
a department of
Community
Services

PREPARED BY: J. Partridge
DATE: 11/16/2015

Legend:

Reference By-Law 76-26, Map 2

 Lands Rezoned from D to R4-32-H

 Subject Site

Certificate of Authentication

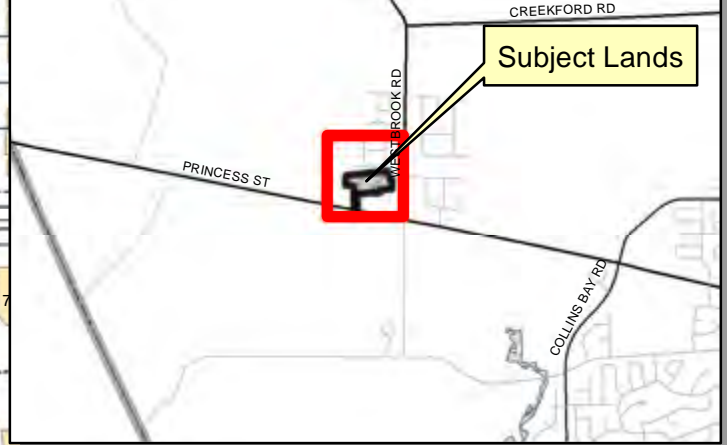
This is Schedule 'A' to By-Law Number _____,
passed this _____ day of _____ 2015.

Mayor

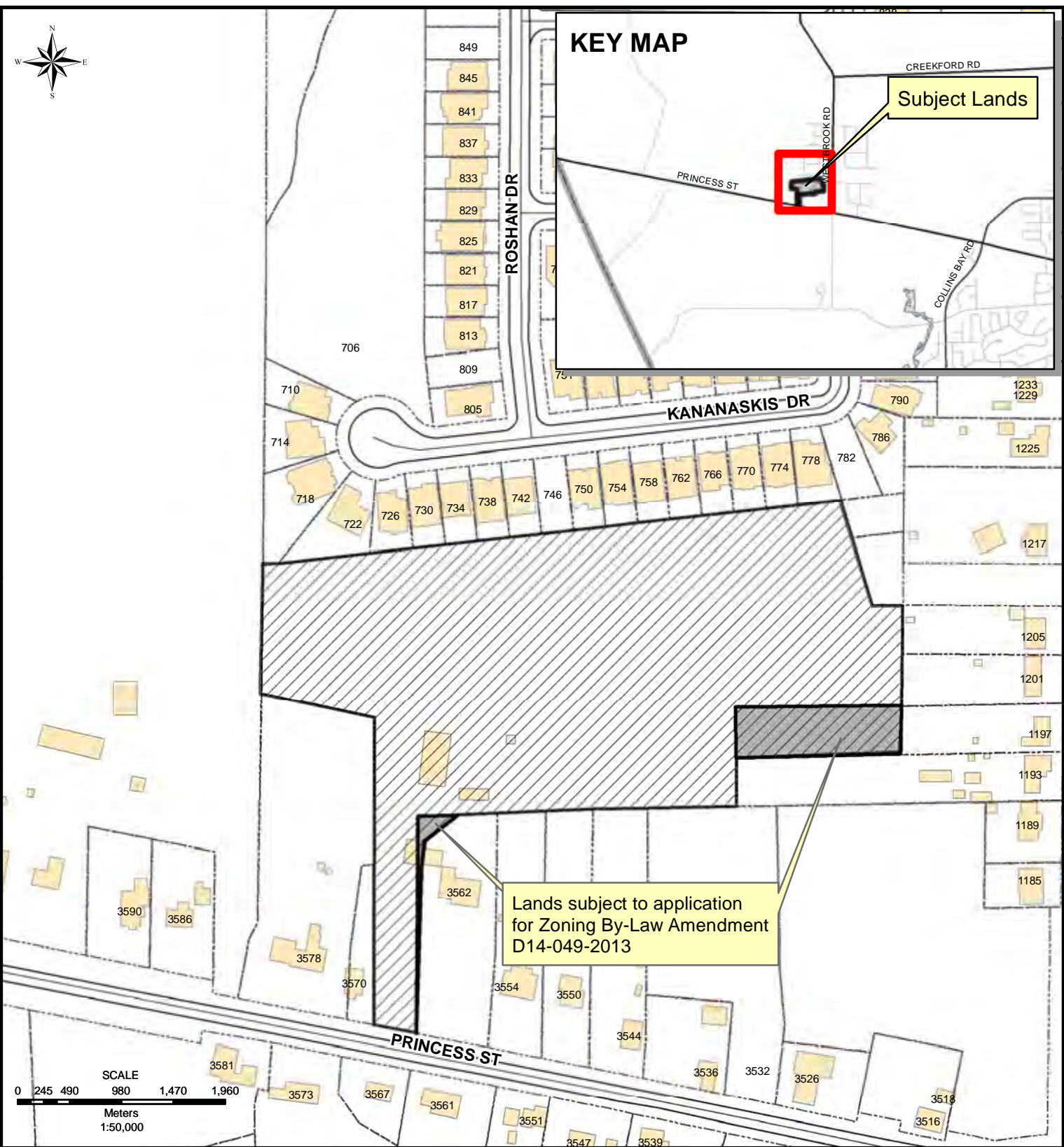
Clerk



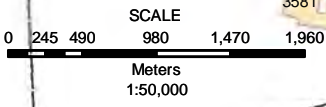
KEY MAP



Subject Lands



Lands subject to application for Zoning By-Law Amendment D14-049-2013



THE CORPORATION OF THE CITY OF KINGSTON KEY MAP

Applicant: S.S.B. Associates Inc.
File Number: D14-049-2013 & D12-012-2013
Address: 3566 Princess Street
Legal Description: PLAN 13M64 BLK 106
ARN: 1011080220186100000

Legend

- Subject Lands
- Lands Subject to Rezoning

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By-Law Number 2016-XX

**A By-Law to Amend the Official Plan for the City of Kingston Planning Area
(Amendment Number 43, 621 & 623 King Street West)**

Passed: December 15, 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 43 to the Official Plan for the City of Kingston.
 - (a) **Amend** Schedule '3-D, Site Specific Policies', of the City of Kingston Official Plan, so as to designate the property located at 621 and 623 King Street West, as shown on Schedule 'A' to By-Law Number 2016-XX, as 'Site Specific Policy Area Number 54'

2. That the City of Kingston Official Plan, as amended, be further amended by adding the following new Site Specific Policy as Section 3.18.54:

"621 & 623 King Street West, Schedule 3-D, SSP Number 54

3.18.54. Within the former Portsmouth Town Hall building located at 623 King Street West an office use shall also be permitted. This shall be limited in size to the existing building."

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: December 15, 2015

John Bolognone
City Clerk

Bryan Paterson
Mayor



Planning, Building
& Licensing Services
a department of
Community
Services


PREPARED BY: J. Partridge
DATE: 11/9/2015

THE CORPORATION OF THE CITY OF KINGSTON **Legend:**

SCHEDULE 'A' TO BY-LAW _____
Official Plan Amendment Number 43

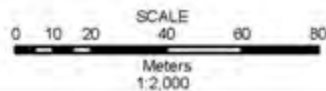
Applicant: City of Kingston
File Number: D09-036-2015
Address: 621 & 623 King Street West
Legal Description: PLAN 54 LOT 5 B 389
ARN: 1011070080116000000

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

 Lands Subject to Site-specific Policy Area 54

Certificate of Authentication

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



Mayor

Clerk

By-Law Number 2016-XX

A By-Law to Amend By-Law Number 8499, “Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston” (Zone Change from General Recreation Park Zone ‘P’ to Special General Recreation Park Zone ‘P.485’, 621 & 623 King Street West)

Passed: December 15, 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 8499, as amended, of the former City 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 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 General Recreation Park Zone ‘P’ to Special General Recreation Park Zone ‘P.485’, as shown on Schedule “A” attached to and forming part of By-Law Number 2016-XX.
 - 1.2. By **Adding** the following section in Part VIII – Exceptions To Various Zone Classifications as follows:

“485. 621 & 623 King Street West

Notwithstanding the provisions of Section 5 and Section 32 hereof to the contrary, the lands designated ‘P.485’ on Schedule ‘A’ hereto, the following regulations shall apply:

(a) Additional Permitted Use:

An office use within the former Portsmouth Town Hall building up to a maximum floor area of 315 square metres

(b) Parking:

(i) Parking for an office use shall be provided at a rate of 1 parking space for every 28.0 square metres of gross leasable floor area.

(ii) Parking may be provided off-site within a radius of 400 metres from the P.485 zone

(iii) Required barrier free parking spaces shall be provided on-site.

(b) Bicycle Parking:

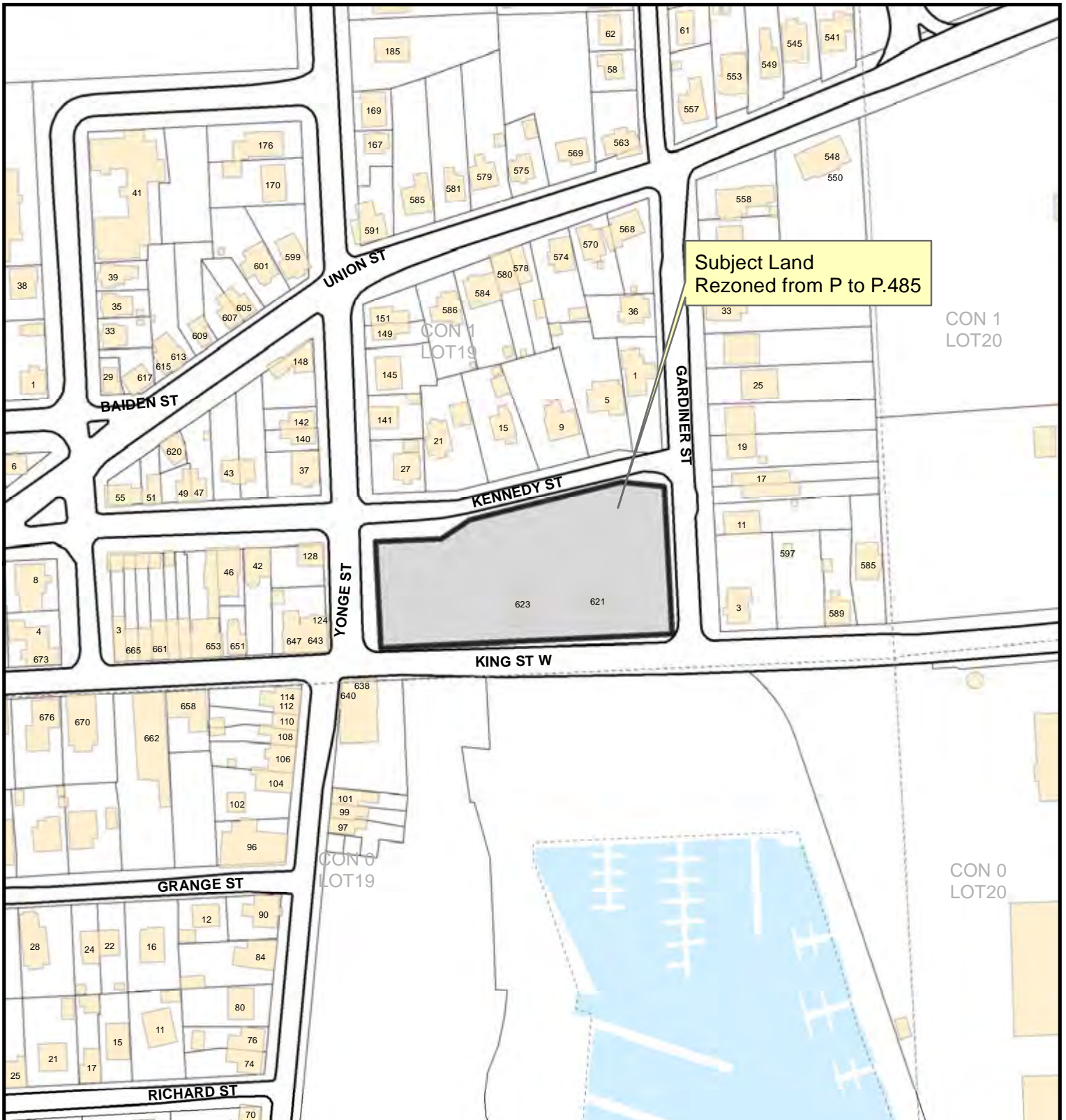
A minimum of 3 bicycle parking spaces shall be provided on-site"

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: December 15, 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: City of Kingston
 File Number: D14-140-2015
 Address: 621 & 623 King Street West
 Legal Description: PLAN 54 LOT 5 B 389
 ARN: 1011070080116000000

Legend:

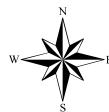
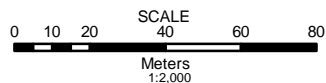
Reference By-Law 8499, Map 29

 Subject Land Rezoned from P to P.485

Certificate of Authentication

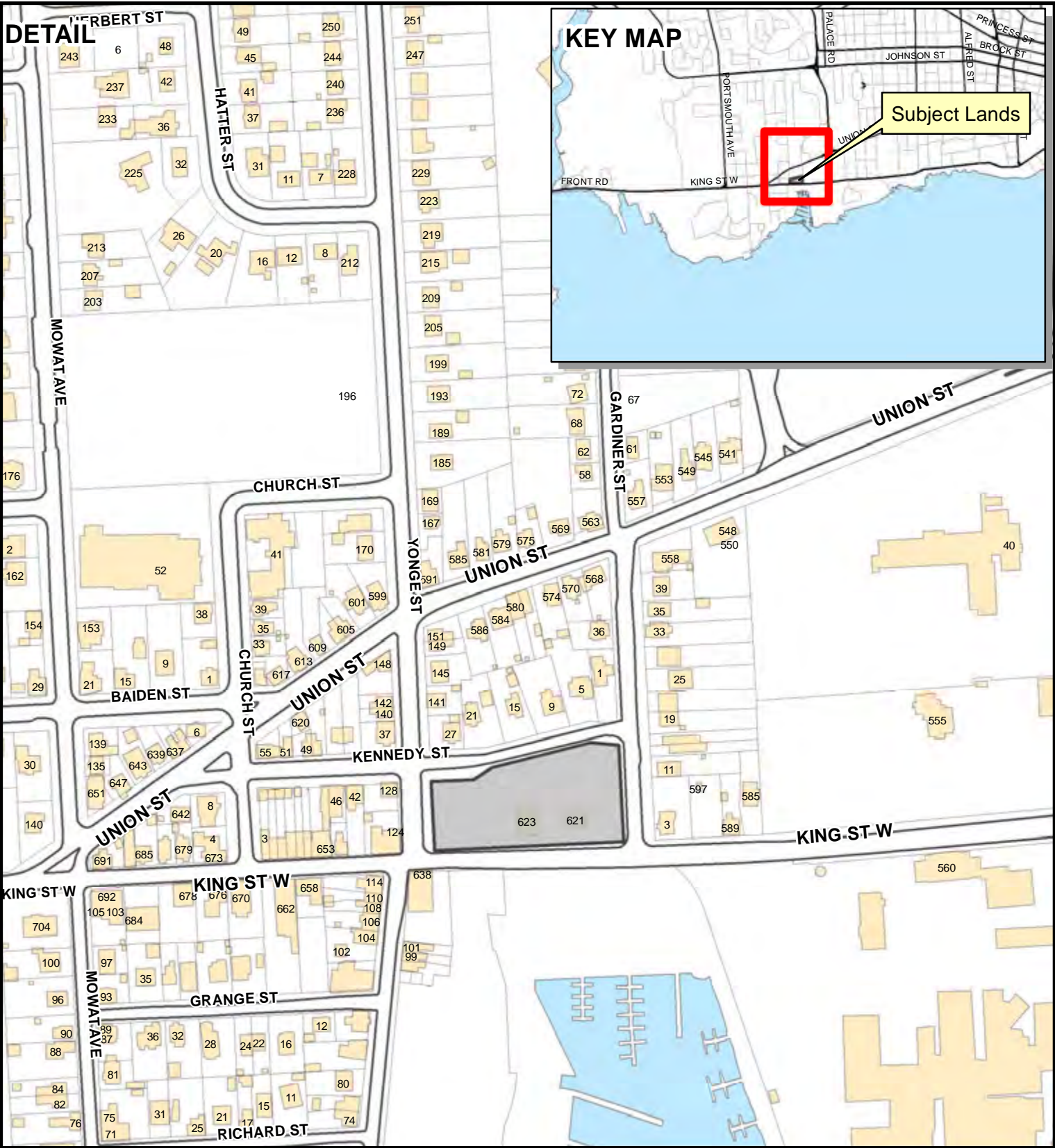
This is Schedule 'A' to By-Law Number _____,
 passed this _____ day of _____ 2015.

PREPARED BY: J. Partridge
 DATE: 11/4/2015



Mayor _____

Clerk _____



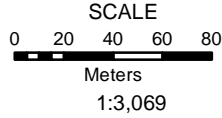
THE CORPORATION OF THE CITY OF KINGSTON

KEY MAP

Applicant: City of Kingston
 File Number: D09-036-2015 & D14-140-2015
 Address: 621 & 623 King Street West
 Legal Description: PLAN 54 LOT 5 B 389
 ARN: 1011070080116000000

Legend

 Subject Lands



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 2015 The Corporation of the City of Kingston.

PREPARED BY: A. Dowler
 DATE: August 6, 2015

By-Law Number 2016-XX

**A By-Law to Amend the Official Plan for the City of Kingston Planning Area
(Amendment Number 45, part of 3175 Unity Road)**

Passed: December 15, 2015

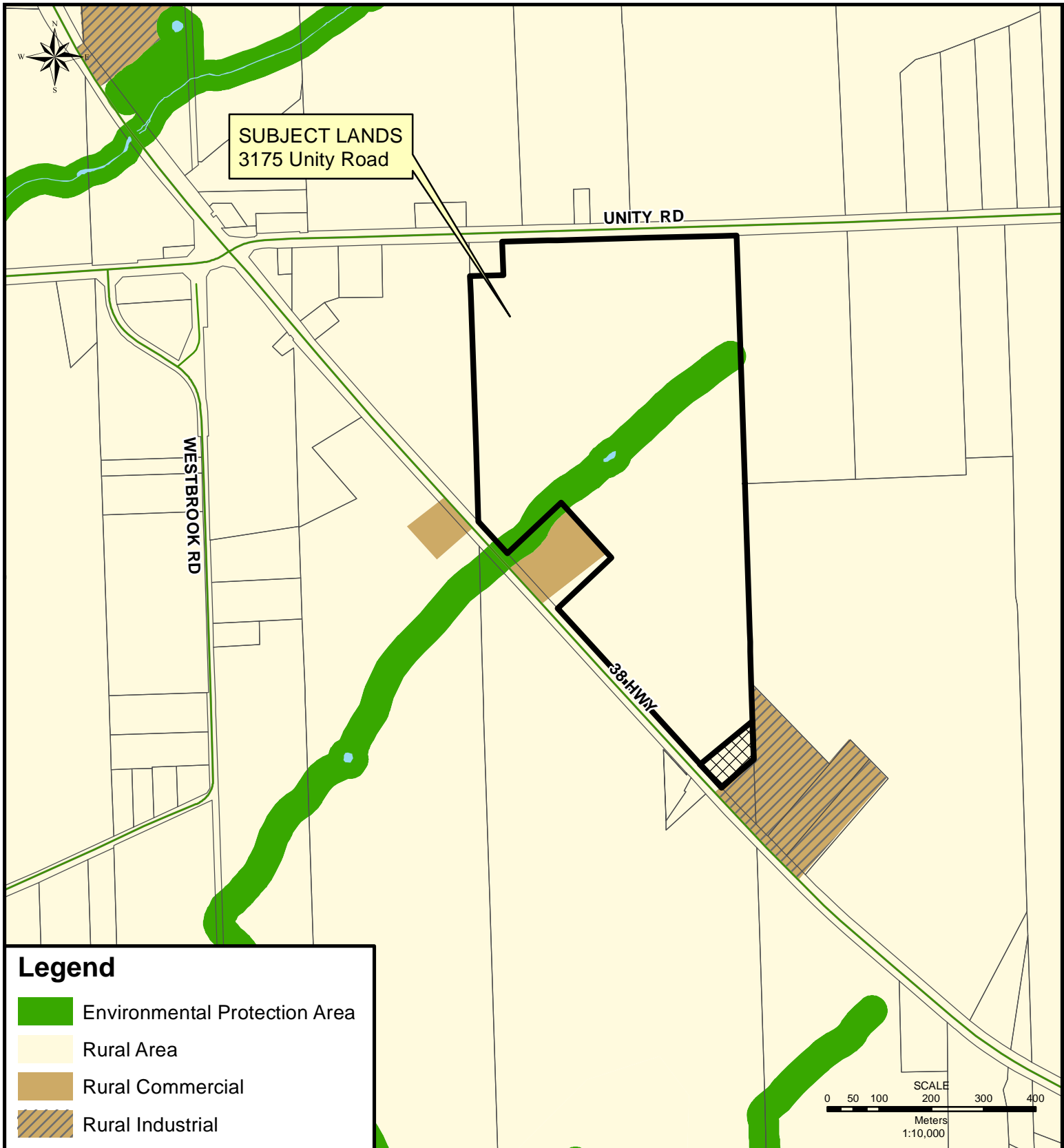
Now therefore the Council of The Corporation of the City of Kingston, in accordance with the provisions of Section 17 of the *Planning Act*, R.S.O. 1990, c.P13 hereby enacts as follows:

1. The Official Plan for the City of Kingston is hereby amended by the following map changes which shall constitute Amendment Number 45 to the Official Plan for the City of Kingston.
 - (a) **Amend** Schedule '3-B Land Use', of the City of Kingston Official Plan, so as to designate a portion of the property located at 3175 Unity Road, as shown on Schedule 'A' to By-Law Number 2016-XX, as 'Rural Industrial'.
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: December 15, 2015

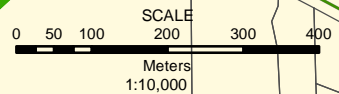
John Bolognone
City Clerk

Bryan Paterson
Mayor



Legend

-  Environmental Protection Area
-  Rural Area
-  Rural Commercial
-  Rural Industrial



Planning, Building & Licensing Services
 a department of Community Services


PREPARED BY: J. Partridge
 DATE: 11/9/2015

THE CORPORATION OF THE CITY OF KINGSTON
SCHEDULE 'A' TO BY-LAW _____
Official Plan Amendment Number 45

Applicant: Cataraqi Granite Co., Mark Tomlinson
 File Number: D09-035-2015
 Address: 3175 Unity Road
 Legal Description: N/A
 ARN: 101108023020900000

Legend:

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

 Lands Subject to change from Rural Area to Rural Industrial

Certificate of Authentication

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

 Mayor Clerk

By-Law Number 2016-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 Agricultural Zone ‘A1’ to site-specific Light Industrial Zone ‘M2-33’, 2400 Highway 38 and part of 3175 Unity Road)

Passed: December 15, 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 lands from ‘A1’ to ‘M2-33’, as shown on Schedule “A” attached to and forming part of By-Law Number 2016-XX.

1.2. By **Adding** a new subsection 25(3)(ag) thereto as follows:

“(ag) **M2-33 (2400 Highway 38 and part of 3175 Unity Road)**

Notwithstanding the provisions of Section 25 hereof to the contrary, the lands designated ‘M2-33’ on Schedule ‘A’ hereto and known municipally

as 2400 Highway 38 and 3175 Unity Road, may be developed in accordance with the following special provisions:

(i) Permitted uses:

The lands designated as M2-33 on Schedule 'A' hereto shall be used for no purpose other than the following uses:

a fabricating plant;

a manufacturing plant;

a contractor's or tradesman's shop;

a processing plant;

a retail outlet, a wholesale outlet or a business office accessory to a permitted use.

(ii) Front yard depth (minimum): 14 metres

(iii) Visitor parking: A maximum of three visitor parking spaces may be located at a minimum distance of 2 metres from the street line and shall be screened from the street with a landscaped planting strip, not less than 2 m wide.

(iv) Open Storage:

No open storage of goods or materials shall be permitted, except in accordance with the following provisions:

(i) Every open storage use shall be accessory to the main use of the building on the lot.

(ii) Every open storage use shall comply with the yard and setback provisions of Section 5(20) and Section 25(2)(c) hereof as if such open storage area were a building or structure provided, however, that such use complies with paragraph (i) above.

(iii) Notwithstanding paragraph (ii) above, no open storage use shall be located in a front yard.

(iv) Every open storage use shall be visually screened within a closed wooden, metal, plastic fence constructed of durable

materials and/or a landscaped screen consisting of coniferous planting, extending at least 1.8 metres in height above the ground and maintained in good condition.

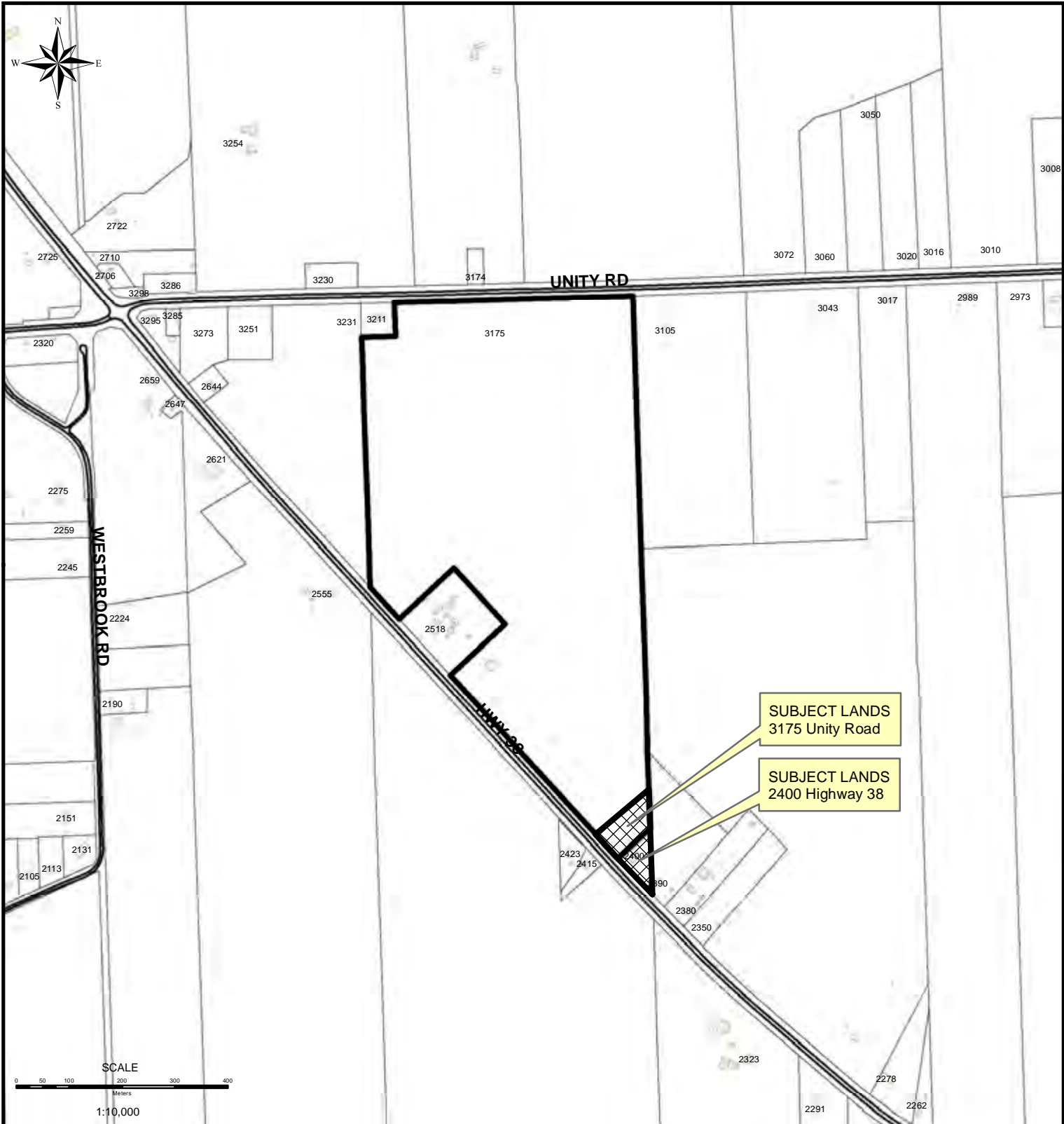
- (v) Notwithstanding paragraphs (iii) and (iv) above, a maximum of 30 square metres of open storage area may be located in the front yard without screening and shall be used for product display only."

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: December 15, 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: Cataraqi Granite Co., Mark Tomlinson
File Number: D14-136-2015
Address: 2400 Highway 38 / 3175 Unity Road
Legal Description: N/A
ARN: 1011080230213100000/
1011080230209000000

Legend:

Reference By-Law 76-26, Map 1

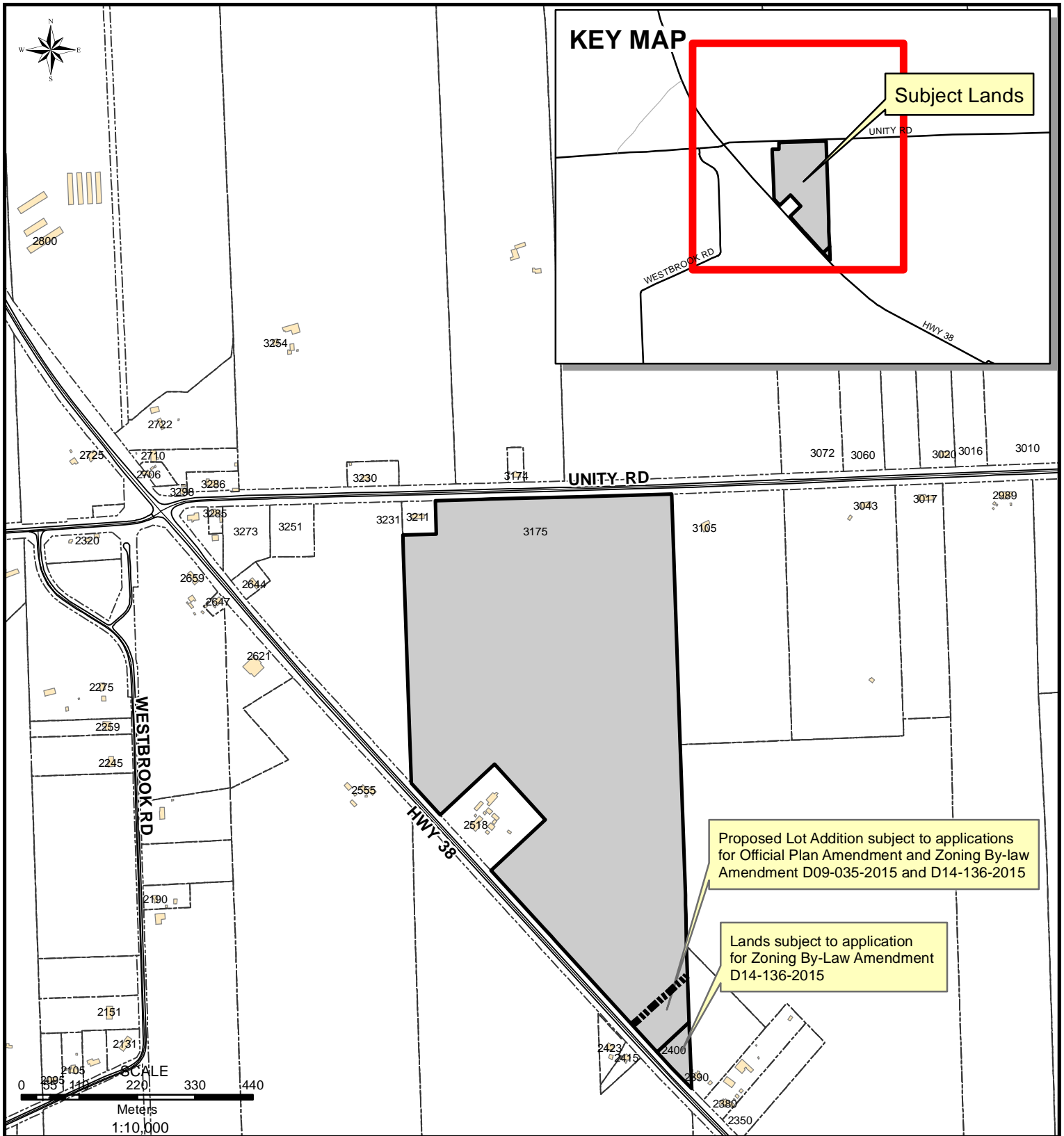
 Rezoned from A1 to M2-33

Certificate of Authentication

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

Mayor

Clerk



Planning, Building
& Licensing Services

a department of

Community
Services


PREPARED BY: J.Partridge
DATE: 11/9/2015

THE CORPORATION OF THE CITY OF KINGSTON

KEY MAP

Applicant: Cataraqi Granite Co., Mark Tomlinson
 File Number: D09-035-2015 and D14-136-2015
 Address: 2400 Highway 38 / 3175 Unity Road
 Legal Description: N/A
 ARN: 1011080230213100000/1011080230209000000

Legend

 Subject Lands

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By-Law Number 2016-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 ‘D’ to ‘C2-73-H’, and from ‘D’ to ‘D-5’, 1233 Midland Avenue)

Passed: December 15, 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 ‘D’ to ‘C2-73-H’, as shown on Schedule “A” attached to and forming part of By-Law Number 2016-XX.
 - 1.2. Map 3 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘D’ to ‘D-5’, as shown on Schedule “A” attached to and forming part of By-Law Number 2016-XX.
 - 1.3. By **Adding** a new subsection 29(3)(d) thereto as follows:

“(d) D-5 (1233 Midland Avenue)

Notwithstanding the provisions of Section 29 hereof to the contrary, the lands designated ‘D-5’ on Schedule ‘A’ hereto, shall only be used for access to a use permitted in the ‘C2-73’ Zone.
 - 1.4. By **Adding** a new subsection 19(3)(bv) thereto as follows:

"(bv) C2-73 (1233 Midland Avenue)

Notwithstanding the provisions of Section 19 and Section 5 hereof to the contrary, the lands designated 'C2-73' on Schedule 'A' hereto, the following regulations shall apply:

(i) Permitted uses on the lands designated 'C2-73' shall be limited to the following:

(a) Arterial Commercial Uses:

An Automatic Car Wash;

An Automobile Service Station;

A Gasoline Retail Facility;

A Rental Outlet;

A Coffee Shop;

A Commercial Club;

A Commercial School;

An Institute;

A Restaurant;

A Take-Out Restaurant;

A Drive-In Restaurant or Restaurant with Drive-Through;

A Restaurant with Patio;

A Beverage Room;

A Veterinary Clinic;

An Animal Hospital.

(b) Limited Convenience Commercial Uses:

A Day Nursery;

A Dry-Cleaning or Laundry Outlet;

A Copy Shop;

A Retail Store;

A Personal Service Shop;

A Florist Shop;

A Merchandise Service Shop;

A Laundromat;

A Bank.

- (ii) Exterior Side Yard Width (Minimum): 5.7 metres;
- (iii) Interior Side Yard Width (Minimum): 7.5 metres;
- (iv) Rear Yard Depth (Minimum): 6.1 metres;
- (v) Setback

The setback requirements of Section 5(20) regarding setback distances from buildings to public roadways shall not apply.

- (vi) Gross Floor Area:

Limited convenience commercial uses shall have a maximum gross floor area of 500 square metres per commercial unit.

- (vii) Drive-Through Service Facility:

- (a) No drive through service facility shall be constructed or established within 50 metres of a residential zone;
- (b) A drive through service facility may be located in, or within 50 metres of a commercial zone that permits a residential use.

- (viii) 'H' Holding Zone Provisions:

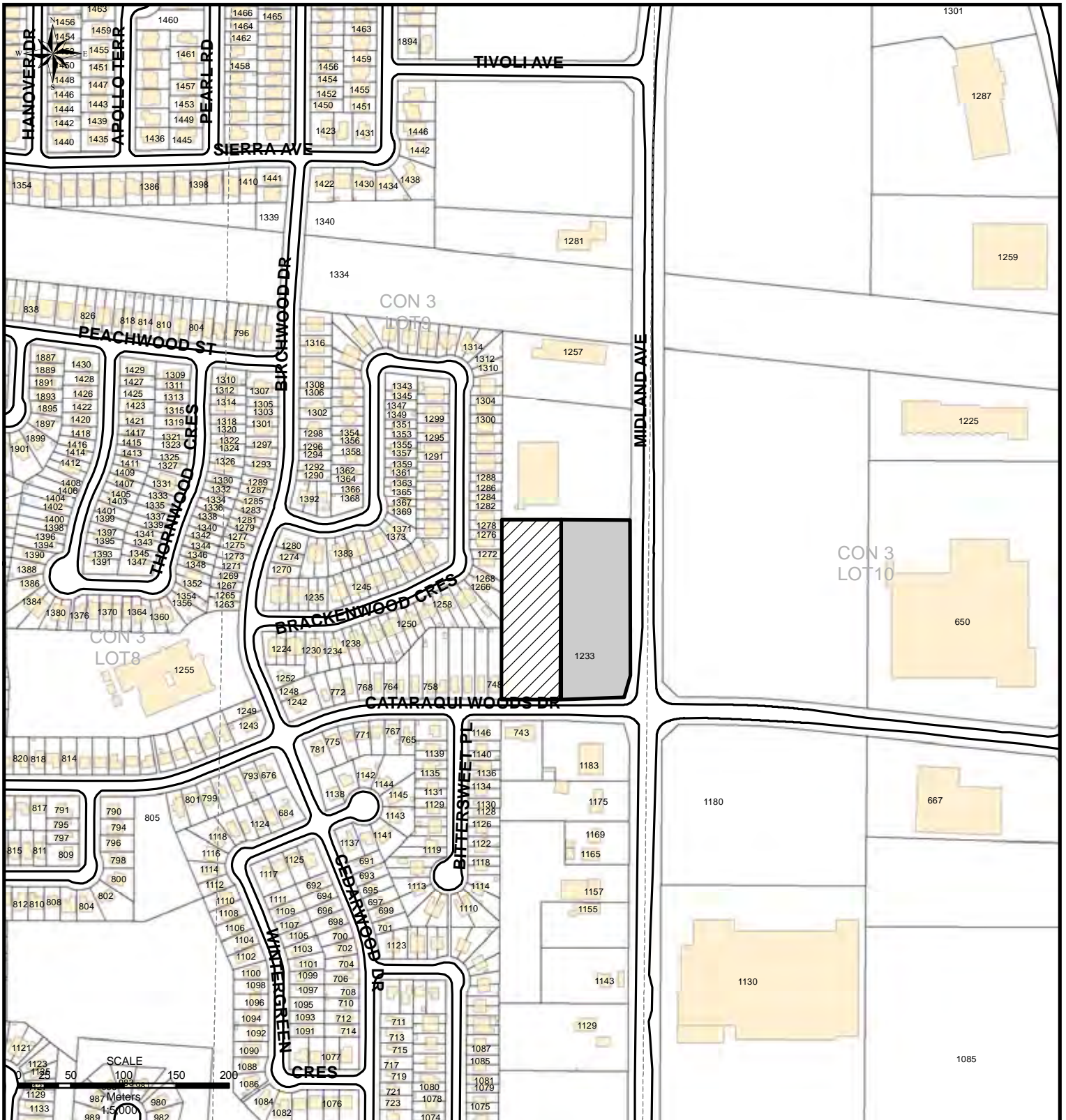
- (a) The 'H' Holding provision applies only to a "Day Nursery" use.
- (b) The 'H' Holding provision may be removed at such time as a Record of Site Condition (RSC) signed by the Qualified Person who prepared it, along with a copy of all supporting studies, and which meet the requirements of Ontario Regulation 153/04 (as amended), is provided and completed to the satisfaction of the City of Kingston.

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: December 15, 2015

John Bolognone
City Clerk

Bryan Paterson
Mayor



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

Planning, Building & Licensing Services
 a department of Community Services

Applicant: Kingston Midland and Cataraqui Corp
 File Number: D14-074-2014
 Address: 1233 Midland Ave
 Legal Description: CON 3 PT LOT 9 RP
 13R9523; PART 3 PART 4 PART 6 PART 7; PART
 8 PART 9
 ARN: 101108020001809

Legend:

Reference By-Law 76-26, Map 3

- Rezoned from D to C2-73-H
- Rezoned from D to D-5

Certificate of Authentication

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

PREPARED BY: J. Partridge
 DATE: 11/9/2015

 Mayor

 Clerk

By-Law Number 2016-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 Special Local Commercial ‘C1-4’ Zone to Special Holding General Commercial ‘C2-72-H’ Zone, 607 and 645 Gardiners Road)

Passed: December 15, 2016

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 5 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from Special Local Commercial ‘C1-4’ Zone to Special Holding General Commercial ‘C2-72-H’ Zone, as shown on Schedule ‘A’ attached to and forming part of By-Law Number 2016-XX.
 - 1.2. By **Adding** a new subsection 19(3)(bu) thereto as follows:

“(bu) **C2-72 607 and 645 Gardiners Road**

Notwithstanding the provisions of this By-Law to the contrary, the lands designated ‘C2-72’ on Schedule ‘A’ hereto, the following regulations shall apply:

(a) Only Permitted Residential Uses:

An accessory dwelling unit in the upper portion of a Non-Residential building

(b) Only Permitted Non-Residential Uses

- an appliance rental shop
- an auditorium
- an automatic car wash
- an automobile service station
- a bank
- a boat sales establishment
- a business or professional office
- a copy shop
- a clinic
- a commercial club
- a commercial school
- a convenience store
- a day nursery
- a dry-cleaning or laundry outlet
- a gasoline retail facility
- a home occupation
- an institute
- a laundromat
- a merchandise service shop
- a personal service shop
- a private club
- a public use in accordance with the provisions of Section 5(18) hereof
- a recreational establishment
- a restaurant

a retail store

a shopping centre consisting of any of the permitted uses listed herein

a supermarket

a take-out restaurant

a vehicle sales or rental establishment, with limited service and/or repair operations

a veterinary clinic

a wholesale use accessory to a permitted use

(c) Gross Floor Area (Maximum)

The combined gross floor area of all uses shall not exceed 7,293 square metres.

(d) 'H' Holding Zone Provisions:

- (i) That a Holding Symbol 'H' shall be applied to the 'C2-72' zone as indicated on Schedule 'A' attached hereto. The 'H' Holding provision applies to the following uses separately or in combination:

Accessory dwelling unit in the upper portion of a non-residential building located at 607 Gardiners Road.

A day nursery located at 607 Gardiners Road.

- (ii) In addition to the provisions of Section 6(6) of this By-Law respecting the use and removal of 'H' Symbols, the following provisions shall also apply:

(a) The 'H' Holding provision may be removed for any one of the above listed uses or any combination of the above uses at such time as an applicable Record of Site Condition and all required supporting studies, prepared by a qualified person as defined by the City of Kingston, is completed to the satisfaction of the City of Kingston and adhering to all municipal and provincial requirements.

(b) The 'H' Holding Zone provision will only be removed for the specified use(s) for which an approved Record of Site Condition and supporting studies are applicable. All other listed uses will remain subject to the holding provision. A separate Record of Site Condition and supporting studies must be submitted for all

subsequent requests to remove the holding provision to permit additional listed uses.

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: December 15, 2016

John Bolognone
City Clerk

Bryan Paterson
Mayor



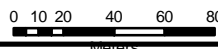
Planning, Building
& Licensing Services
a department of
Community
Services

PREPARED BY: J. Partridge
DATE: 11/3/2015

THE CORPORATION OF THE CITY OF KINGSTON


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

Applicant: 1745100 Ontario Limited
File Number: D14-139-2015
Address: 607 and 645 Gardiners Road
Legal Description: CON 2 PT LOT 9 RP
13R4121;PARTS 4 & 5/CON 2 PT LOT
9 RP 13R7008;PART 1
ARN: 1011080170189010000/
1011080170189000000



Legend:

Reference By-Law 76-26, Map 5

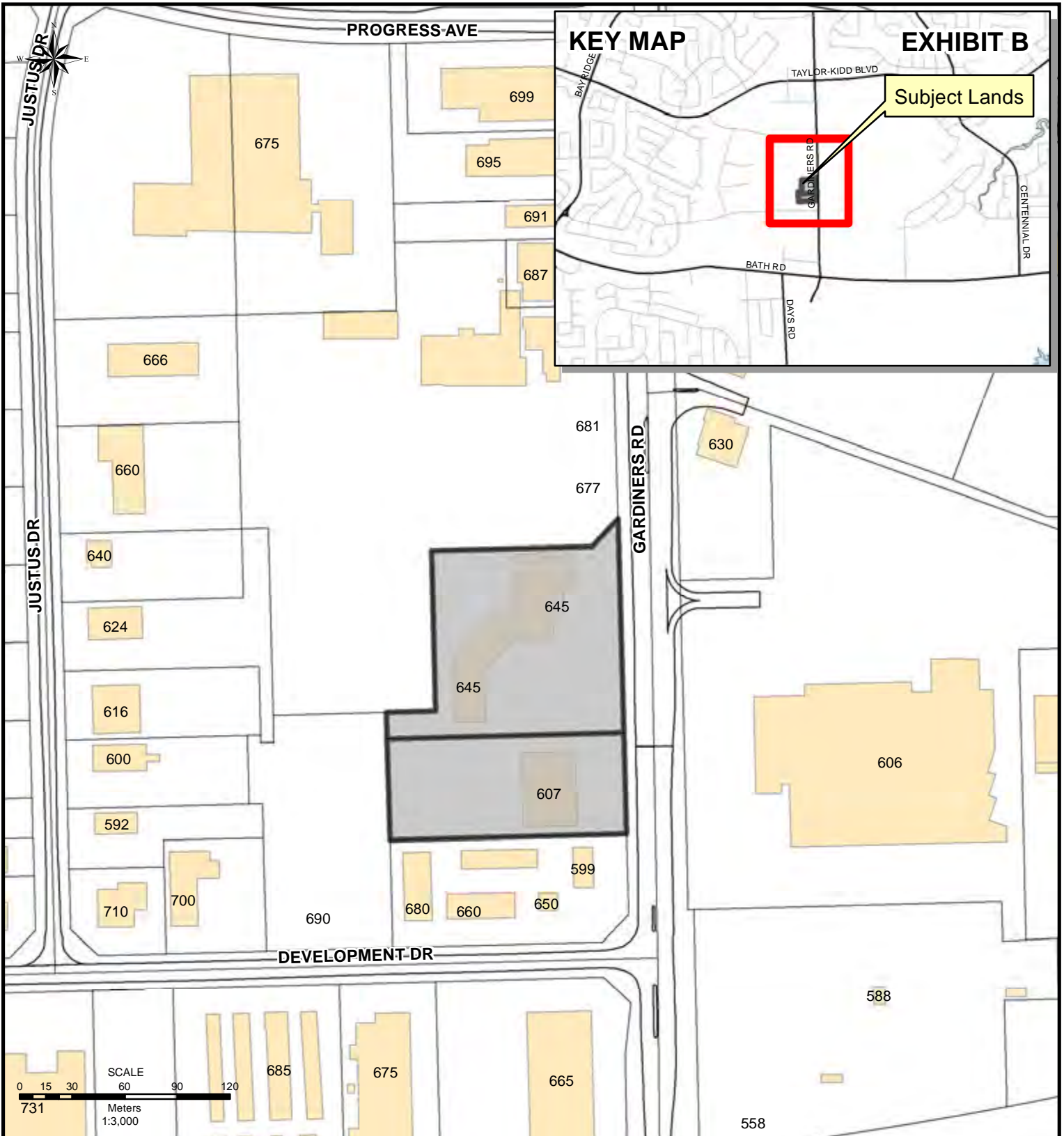
 Subject Lands Rezoned from C1-4 to C2-72-H

Certificate of Authentication

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

Mayor

Clerk




THE CORPORATION OF THE CITY OF KINGSTON

KEY MAP

Applicant: 1745100 Ontario Limited
 File Number: D14-139-2015
 Address: 607 and 645 Gardiners Road
 Legal Description: CON 2 PT LOT 9 RP
 13R4121;PARTS 4 & 5/CON 2 PT LOT
 9 RP 13R7008;PART 1
 ARN: 1011080170189010000/
 1011080170189000000

Legend

 Subject Lands

PREPARED BY: A. Dowker
 DATE: 11/5/2015

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