

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” (14 Garrett Street – amendment to repeal and replace C.482 Zone)

Passed: April 19, 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 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. By **deleting** in its entirety Part VIII – Exceptions to the Various Zone Classifications (482), and **replacing** with a new Part VIII – Exceptions to the Various Zone Classifications (482) thereto as follows:

“482. 14 Garrett Street

Notwithstanding the provisions of Section 5 and Section 20 hereof to the contrary, the lands zoned ‘C.482’ on Schedule ‘A’ hereto, the following regulations shall apply:

(a) Definitions:

For the purpose of the ‘C.482’ zone, the following definition shall apply:

‘Parking structure’ shall mean a building or structure used for the parking of vehicles above or below finished grade, and is permitted as a principle use on a lot’.

(b) Permitted Uses:

- (i) Accessory buildings subject to the provisions of the zone regulating the main building as set forth herein
- (ii) Bakeries (provided that the food products prepared on the premises are retailed directly from the same premises)
- (iii) Banks
- (iv) Boarding houses and rooming houses subject to the provisions of zone B
- (v) Bowling alleys, pool and billiard halls
- (vi) Churches, community halls and parish halls subject to the provisions for zone B
- (vii) Community Centres subject to the provisions for zone B
- (viii) Community Homes
- (ix) Community Support House
- (x) Crisis Care Shelters
- (xi) Day Care Centre
- (xii) Fraternal organizations or similar institutions of public character subject to the provisions of zone B
- (xiii) Hospitals as defined by the Public Hospitals Act, R.S.O. (1970) Chapter 378
- (xiv) Hotels
- (xv) Laundries and dry cleaners (provided that the cleaning operation takes place upon the same premises as an associated pick-up and delivery agency)
- (xvi) Lay or religious fraternity houses or boarding houses where occupied by students, used exclusively for the purposes of habitation or congregational meetings and supervised by the authorities of a public educational institution, subject to the provisions for zone B
- (xvii) Libraries, art galleries and museums subject to the provisions for zone A

- (xviii) Multiple family dwellings containing three or four dwelling units subject to the provisions of zone B
- (xix) Multiple family dwellings containing five or more dwelling units
- (xx) Offices for or in connection with businesses or professions
- (xxi) Offices for printing or publishing
- (xxii) Parking Lots as defined in Section 4.59 of this by-law and subject to the following regulations:
 - (a) All parking lots are subject to site plan control approval
 - (b) The surface of the parking lot shall be paved or properly leveled, drained and treated to prevent the escape of dust
 - (c) Any lights used to illuminate the parking lot shall be arranged to deflect light downward and away from adjacent premises.
 - (d) No commercial business involving the repair of or service to vehicles shall be permitted thereon, nor the sale or display thereof shall be conducted from or upon such premises
- (xxiii) Parking Structure
- (xxiv) Places of amusement
- (xxv) Recovery Homes
- (xxvi) Retail stores or shops
- (xxvii) Residential Care Facilities
- (xxviii) Restaurants
- (xxix) Sanitariums, or institutions for philanthropic or charitable uses, other than correctional uses, and other than for the treatment of inebriates or persons suffering from insanity or other mental disease, infectious disease, or contagious disease, subject to the provisions for zone B
- (xxx) Senior citizen apartments
- (xxxi) Shopping centres
- (xxxii) Theatres

(xxxiii) Undertakers' establishments

(c) Ground floor commercial:

The ground floor use of any building or structure is required to be commercial.

(d) Minimum Required Front Yard: 0.9 metres

(e) Surface Parking:

(i) Surface parking is permitted within any portion of a yard.

(ii) Surface parking is permitted within 1.5 metres of any adjacent residential zone or zone which permits a residential use.

(iii) Surface parking shall be screened from any adjacent residential zone or zone which permits a residential use, by a sight obscuring buffer, such as, but not limited to; a fence; wall; hedge; or, barrier, a minimum of 1.4 metres high

(iv) Surface parking shall be screened from any street by a sight obscuring buffer such as, but not limited to; a fence; wall; hedge; or, barrier, a minimum of 1.0 metre high

(f) Parking Structure:

A wall or barrier with a minimum height of 1.4 metres is required on each level of a parking structure

(g) Angular plane:

All buildings and structures adjacent to a residential zone shall fit within an angular plane taken from a height of 7.0 metres above the established grade at the lot line. Above this height, subsequent storeys shall fit within a 45 degree angular plane

(h) Minimum Parking Space Dimensions:

2.6 metres wide and 5.2 metres long, not including barrier free spaces.

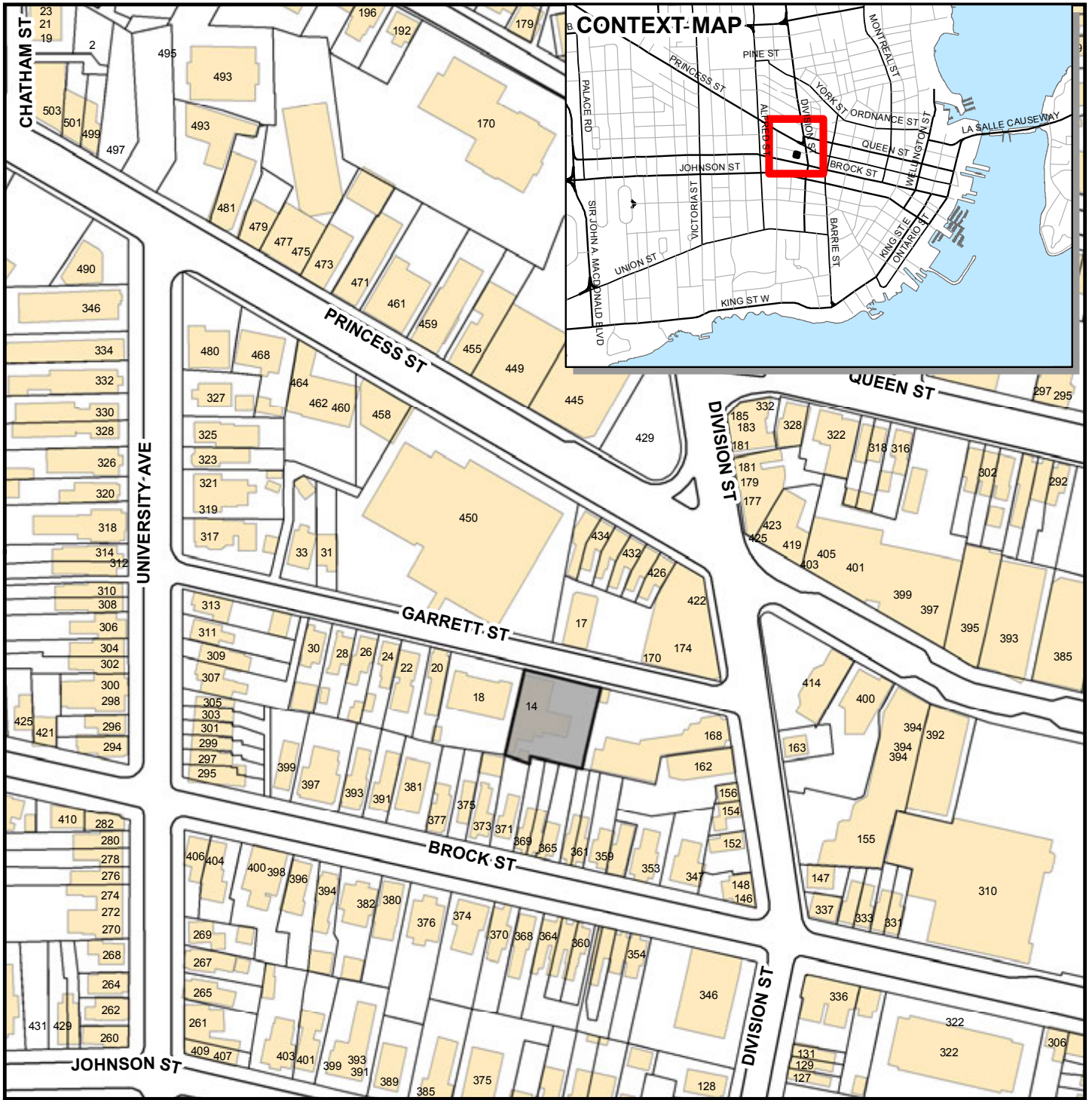
(i) Minimum Parking Access Lane Width: 6.0 metres."

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: April 19, 2016

John Bolognone
City Clerk

Bryan Paterson
Mayor



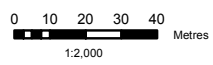
CONTEXT-MAP



Planning, Building & Licensing Services
 a department of
 Community Services

**PLANNING COMMITTEE
 KEY MAP**

Applicant: FoTenn Consultants
 File Number: D14-002-2016
 Address: 14 Garrett Street
 Legal Description: PLAN C-15 LOT 4 PT
 LOT 5;BLOCK 220



LEGEND

- Subject Property
- Property Boundaries



PREPARED BY: J.Partridge
 DATE: 1/29/2016

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