

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 One-Family Dwelling and Two-Family Dwelling Zone ‘A’ to Special One-Family Dwelling and Two-Family Dwelling Zone ‘A.494’, 358 Victoria Street)

Passed: May 3, 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. Map 18 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from One-Family Dwelling and Two-Family Dwelling Zone ‘A’ to Special One-Family Dwelling and Two-Family Dwelling Zone ‘A.494’, as shown on Schedule “A” attached to and forming part of By-Law Number 2016-XXXX.

- 1.2. By **Adding** the following section to Part VIII – Exceptions to various zone classifications:

“494. 358 Victoria Street

Notwithstanding the provisions of Sections 5 and 6 hereof to the contrary, the lands designated ‘A.494’ on Schedule ‘A’ hereto, the following regulations shall apply:

- a) Definitions:

For the purpose of the 'A.494' zone, the following definition shall apply:

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include

- (i) Common areas open to all occupants of the unit;
- (ii) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and
- (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment

Notwithstanding the foregoing, for the purposes of this definition, a bachelor, bachelorette or studio unit shall be calculated to contain one bedroom.

- b) Notwithstanding the provisions of zone 'A.494', the existing building on the passing of By-Law Number 2016-XX, shall only be converted to a maximum of 2 dwelling units, with the following requirements:
 - c) Minimum Lot Area: 612 square metres
 - d) Maximum Number of Dwelling Units: 2
 - e) Maximum Aggregate Number of Bedrooms: 9
 - f) Minimum Front Yard Setback: 4.73 metres
 - g) Minimum Building Depth: 18.33 metres
 - h) The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted;
 - i) Existing Accessory Structure
 - (i) Minimum side yard (north): 0.15 metres
 - j) Access

The second residential unit shall have separate access from that of the principle residential unit. Access shall be provided at the front of the building for the principle residential unit, and at the side or rear of

the building for the second dwelling unit, where there is a minimum 0.87 metre wide unobstructed walkway, that does not impede drainage.

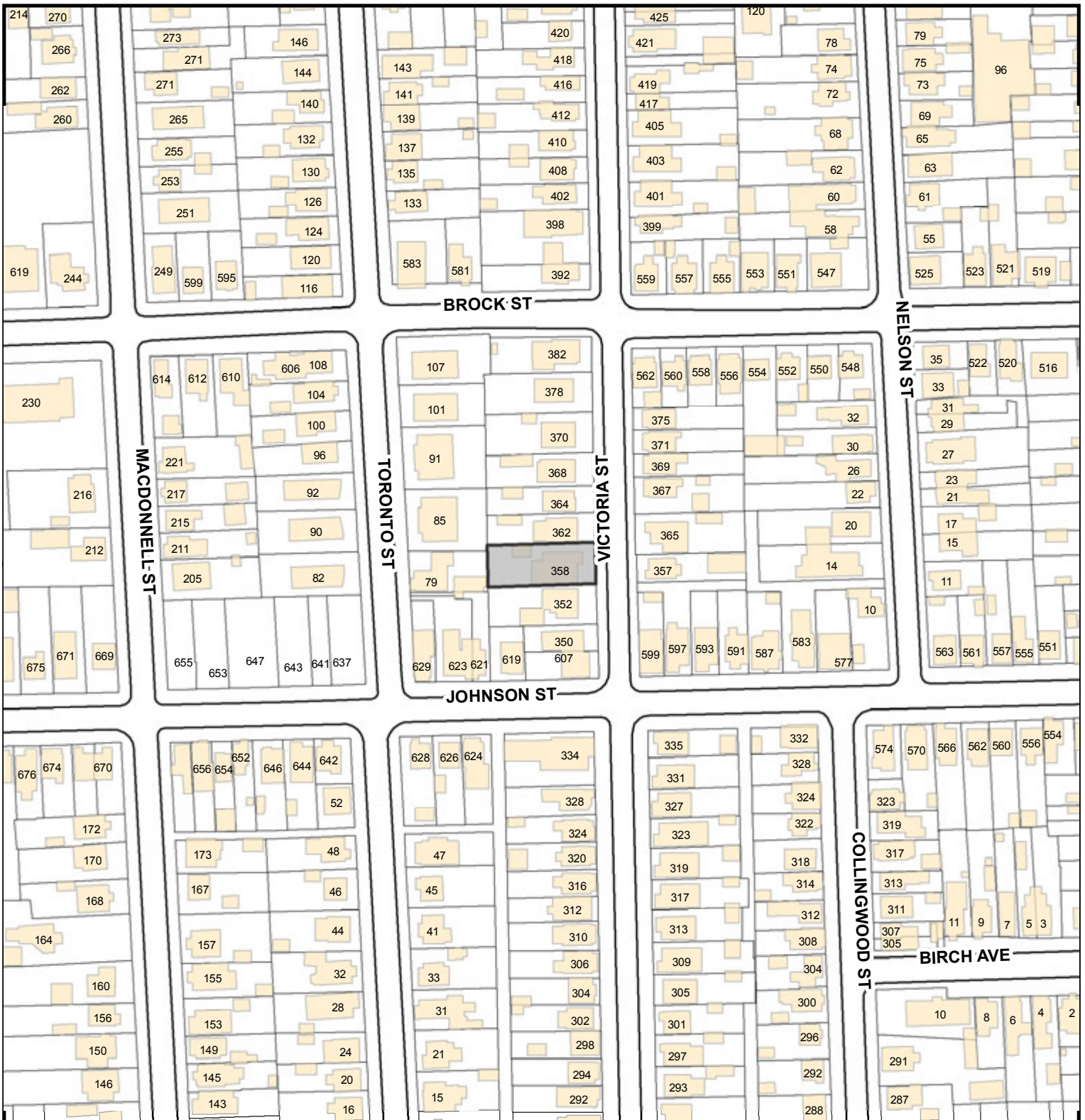
- k) Off-Street Parking:
 - (i) Parking in a stacked/tandem arrangement shall be permitted for a maximum of two parking spaces
 - (ii) One parking space shall be provided for each dwelling unit

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: May 3, 2016

John Bolognone
City Clerk

Bryan Paterson
Mayor




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

Applicant: Heather Cirella
 File Number: D14-073-2015
 Address: 358 Victoria Street
 Legal Description: PLAN A8 PT LOT 70 B 279

LEGEND

Reference By-Law 8499, Map 19

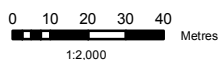
 Rezoned from A to A.494

Certificate of Authentication

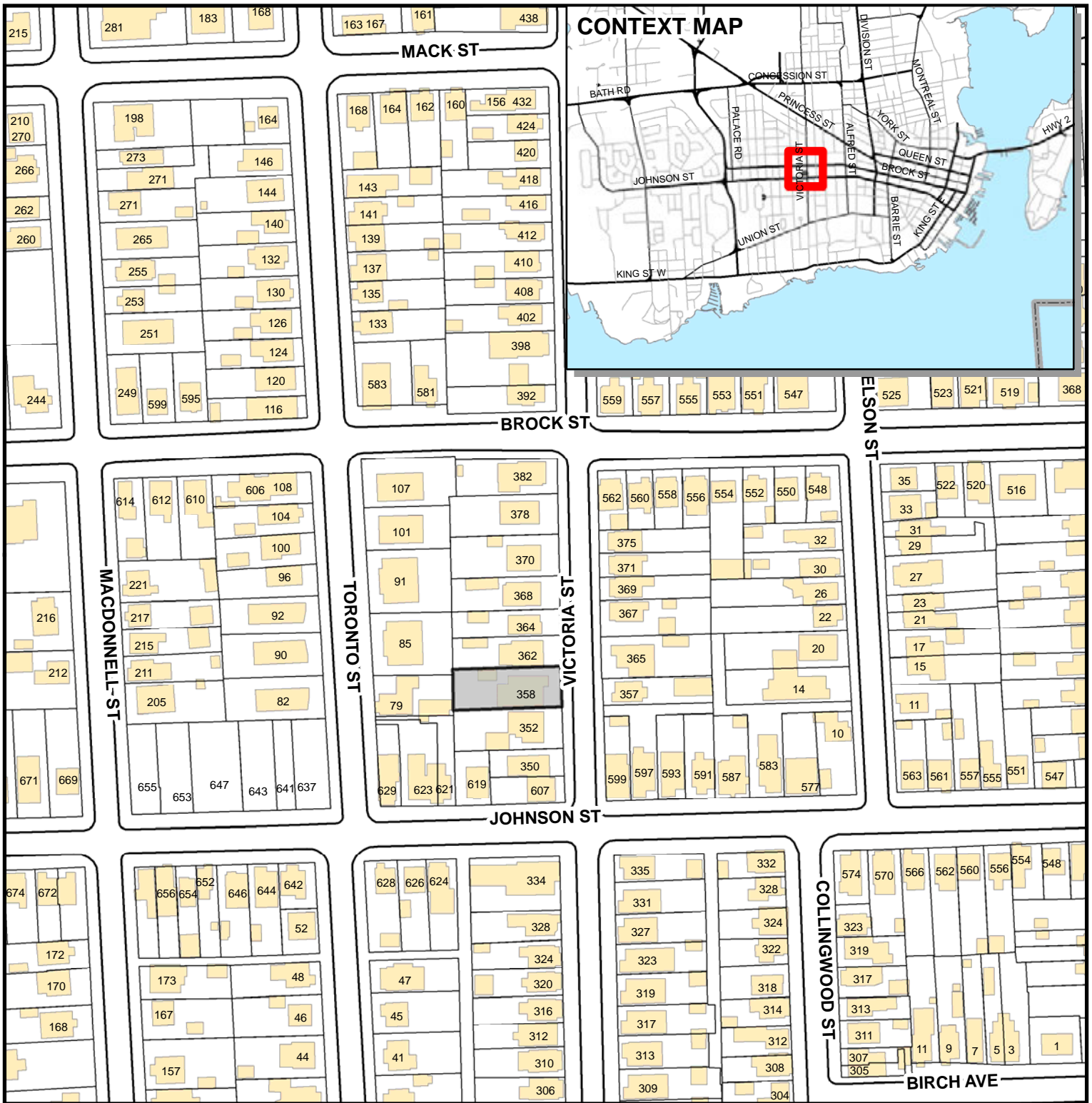
This is Schedule 'A' to By-Law Number _____,
 passed this _____ day of _____ 2016.



Planning, Building
& Licensing Services
 a department of
Community
Services



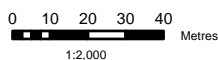
PREPARED BY: J.Partridge
 DATE: 3/10/2016



Planning, Building & Licensing Services
a department of
Community Services

PLANNING COMMITTEE
KEY MAP

Applicant: Heather Cirella
File Number: D14-073-2015
Address: 358 Victoria Street
Legal Description: PLAN A8 PT LOT 70 B 279



LEGEND

- Subject Property
- Property Boundaries

