

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 and Two-Family Dwelling Zone ‘A4’ to Special One-Family and Two-Family Dwelling Zone ‘A4.495’, 230 Victoria Street)

Passed: June 21, 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 30 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 ‘A4’ to Special One-Family Dwelling and Two-Family Dwelling Zone ‘A4.495’, as shown on Schedule “A” attached to and forming part of By-Law Number 2016-XX.
 - 1.2. By **Adding** the following section 495 in Part VIII – Exceptions To Various Zone Classifications as follows:

“495. 230 Victoria Street

Notwithstanding the provisions of Section 5 and Section 10 hereof to the contrary, the lands designated ‘A4.495’ on Schedule ‘A’ hereto, the following regulations shall apply:

- (a) Definitions:

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.

(iv) "Principle Residential Unit" means the main/core structure intended for human habitation, on a lot.

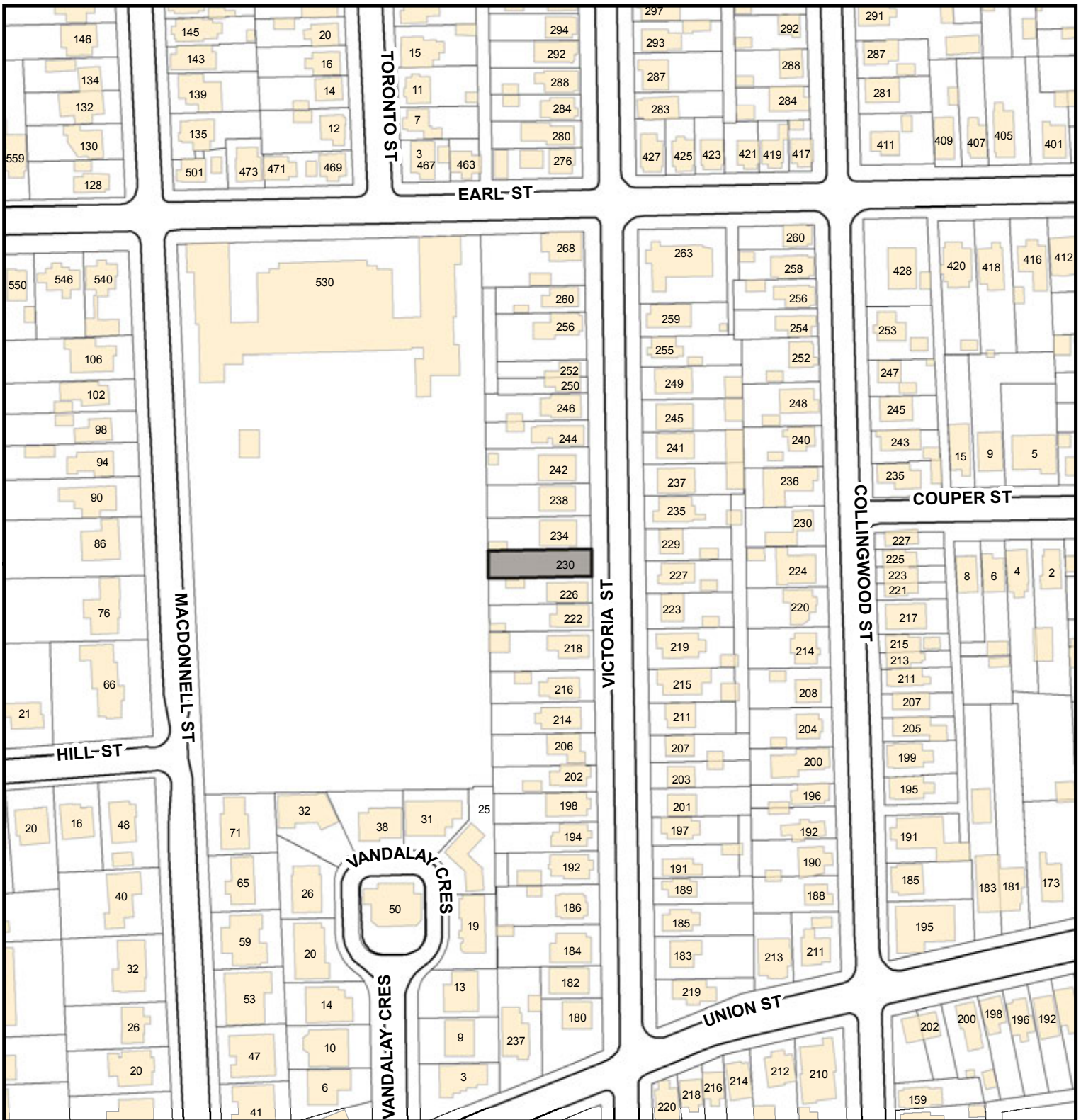
- (b) The use of a cellar as a portion of the principle residential unit for habitation is permitted.

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: June 21, 2016

John Bolognone
City Clerk

Bryan Paterson
Mayor




SCHEDULE 'A' TO BY-LAW NUMBER

Applicant: Mark Touw (IBI Group)
 File Number: D14-018-2016
 Address: 230 Victoria Street
 Legal Description: PLAN 139 LOT 37 LANE B 363

LEGEND

Reference By-Law 8499, Map 30

 Rezoned from A4 to A4.495

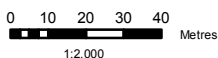
Certificate of Authentication

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: 5/11/2016



Council Meeting 17 June 21, 2016



Mayor

551
Clerk

By-Law Number 2016-XX

A By-Law to Amend By-Law Number 32-74, “A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in The Township of Pittsburgh” (Zone Change from ‘A2’ to ‘A2-37’, ‘A2’ to ‘A2-38’ and ‘A2’ to ‘A2-39’; 5059 Leo Lake Road)

Passed: June 21, 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 32-74, as amended, of the former Township of Pittsburgh;

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

1. By-Law Number 32-74 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 Pittsburgh”, 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 the subject site from General Rural ‘A2’ Zone to a Special General Rural ‘A2-37’ Zone, as shown on Schedule “A” attached to and forming part of By-Law Number 2016-XX.
 - 1.2. Map 2 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from General Rural ‘A2’ Zone to a Special General Rural ‘A2-38’ Zone, as shown on Schedule “A” attached to and forming part of By-Law Number 2016-XX.
 - 1.3. Map 2 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from General Rural ‘A2’ Zone to a Special General Rural ‘A2-39’ Zone, as shown on Schedule “A” attached to and forming part of By-Law Number 2016-XX.
 - 1.4. By **adding** the following Section 24(3)(jj) as follows:

“(jj) Special Requirements (A2-37) (5025 Leo Lake Road)

Notwithstanding the provisions of Section 5 and 24 hereof to the contrary, the lands designated 'A2-37' on Schedule 'A' hereto, the following regulations shall apply:

- (i) Minimum setback from the high water mark for any building or structure (including septic systems) other than a marine facility shall be 40 metres. Within 30 metres of the lot line, which abuts the waterbody (Leo Lake), only limited cutting or coppicing is permitted to permit water views and access, and for reasons of safety. No roads or widespread clearing is permitted within the 30 m setback from the waterbody;
- (ii) Notwithstanding Section 1.4(i), pedestrian access to a marine facility shall be permitted."

1.5. By **adding** the following Section 24(3)(kk) as follows:

"(kk) Special Requirements (A2-38) (5059 Leo Lake Road)

Notwithstanding the provisions of Section 5 and 24 hereof to the contrary, the lands designated 'A2-38' on Schedule 'A' hereto, the following regulations shall apply:

- (i) No new additions to existing buildings or structures, such as interior floor area, decks, porches, roofed structures or septic system, other than a marine facility, shall be located within 40 meters of the high water mark. Within 30 metres of the lot line, which abuts the waterbody (Leo Lake), only limited cutting or coppicing is permitted to permit water views and access, and for reasons of safety. No roads or widespread clearing is permitted within the 30 m setback from the waterbody;
- (ii) Notwithstanding Section 1.5(i), pedestrian access to a marine facility shall be permitted."

1.6. By **adding** the following Section 24(3)(ll) as follows:

"(ll) Special Requirements (A2-39) (5105 Leo Lake Road)

Notwithstanding the provisions of Section 5 and 24 hereof to the contrary, the lands designated 'A2-39' on Schedule 'A' hereto, the following regulations shall apply:

- (i) Minimum setback from the high water mark for any building or structure (including septic systems) other than a marine facility shall be 40 metres. Within 30 metres of the lot line, which abuts the waterbody (Leo Lake), only limited cutting or coppicing is permitted to permit water views and access, and for reasons of safety. No roads or widespread clearing is permitted within the 30 m setback from the waterbody;

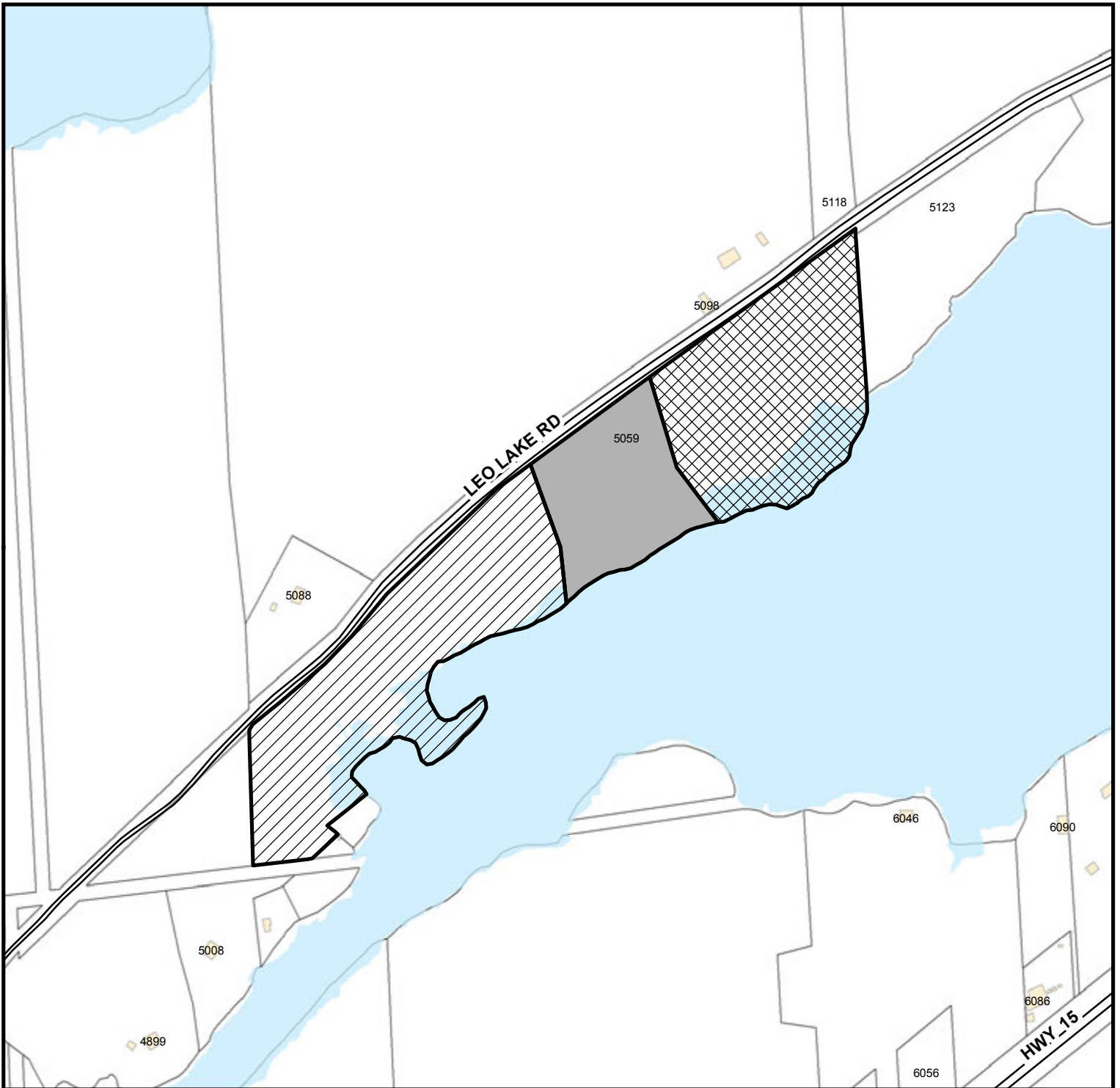
- (ii) Notwithstanding Section 1.6(i), pedestrian access to a marine facility shall be permitted;
- (iii) Minimum setback from a watercourse for any building or structure (including septic systems) shall be 30 metres;
- (iv) Minimum setback from the top of bank of the steep slope (elevation of 110 metres GSC) shall be 15 metres for any building or structure.”

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: June 21, 2016

John Bolognone
City Clerk

Bryan Paterson
Mayor






Planning, Building
& Licensing Services
a department of
Community
Services

SCHEDULE 'A' TO BY-LAW NUMBER

Applicant: Mark Touw (IBI Group)
File Number: D14-007-2016
Address: 5059 Leo Lake Road
Legal Description: CON 10 PT LOT 31 & 32
LEO;LAKE

LEGEND

Reference By-Law 32-74, Map 2

-  Rezoned from A2 to A2-37
-  Rezoned from A2 to A2-38
-  Rezoned from A2 to A2-39

Certificate of Authentication

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



By-Law Number 2016-XXX

A By-Law to Amend By-Law Number 8499, “Restricted Area (Zoning) By-Law for The Corporation of The City of Kingston”, as amended, to include a definition of a Casino Gaming Facility.

Passed: June 21, 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; and

Whereas a Public Meeting was held pursuant to the amendment on March 31, 2016;

Therefore be it resolved that the Council of The Corporation of the City of Kingston determines that no further notice is to be given in respect of this by-law as no substantial changes were made to the amendment after holding the Public Meeting; and

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 for The Corporation of the City of Kingston”, as amended, is hereby further amended as follows:

1.1 **Amend** Section 4 “Definitions” by including the following definition in alphabetical order:

“**Casino Gaming Facility** means any building developed and used for the purpose of providing slot machine or table game wagering or betting, authorized and licensed by the Province of Ontario.”

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: June 21, 2016

John Bolognone
City Clerk

Bryan Paterson
Mayor

By-Law Number 2016-XXX

A By-Law to Amend By-Law Number 96-259, “Downtown and Harbour Zoning By-Law of The Corporation of The City of Kingston”, as amended, to include a definition of a Casino Gaming Facility.

Passed: June 21, 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 96-259, as amended, of the former City of Kingston; and

Whereas a Public Meeting was held pursuant to the amendment on March 31, 2016;

Therefore be it resolved that the Council of The Corporation of the City of Kingston determines that no further notice is to be given in respect of this by-law as no substantial changes were made to the amendment after holding the Public Meeting; and

That the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 96-259 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 **Amend** Section 4.1 “Definitions – Specific” by including the following definition in alphabetical order:

“**Casino Gaming Facility** means any building developed and used for the purpose of providing slot machine or table game wagering or betting, authorized and licensed by the Province of Ontario.”
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: June 21, 2016

John Bolognone
City Clerk

Bryan Paterson
Mayor

By-Law Number 2016-XXX

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”, as amended, to include a definition of a Casino Gaming Facility.

Passed: June 21, 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; and

Whereas a Public Meeting was held pursuant to the amendment on March 31, 2016;

Therefore be it resolved that the Council of The Corporation of the City of Kingston determines that no further notice is to be given in respect of this By-Law as no substantial changes were made to the amendment after holding the Public Meeting; and

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 **Amend** Section 4. “Definitions” by including the following definition in alphabetical order:

“**Casino Gaming Facility** means any building developed and used for the purpose of providing slot machine or table game wagering or betting, authorized and licensed by the Province of Ontario.”

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: June 21, 2016

John Bolognone
City Clerk

Bryan Paterson
Mayor

By-Law Number 2016-XXX

A By-Law to Amend By-Law Number 97-102, “The Cataraqui North Zoning By-Law”, as amended, to include a definition of a Casino Gaming Facility.

Passed: June 21, 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 97-102, as amended, of the former Township of Kingston; and

Whereas a Public Meeting was held pursuant to the amendment on March 31, 2016;

Therefore be it resolved that the Council of The Corporation of the City of Kingston determines that no further notice is to be given in respect of this By-Law as no substantial changes were made to the amendment after holding the Public Meeting; and

That the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 97-102 of The Corporation of the City of Kingston, entitled “The Cataraqui North Zoning By-Law”, as amended, is hereby further amended as follows:
 - 1.1 **Amend** Section 6 “Definitions” by including the following definition in alphabetical order:

“Casino Gaming Facility means any building developed and used for the purpose of providing slot machine or table game wagering or betting, authorized and licensed by the Province of Ontario.”
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: June 21, 2016

John Bolognone
City Clerk

Bryan Paterson
Mayor

By-Law Number 2016-XXX

A By-Law to Amend By-Law Number 32-74, “A By-Law to Regulate the Use of Lands and the Character, Location and Use of Buildings and Structures in the Township of Pittsburgh”, as amended, to include a definition of a Casino Gaming Facility.

Passed: June 21, 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 32-74, as amended, of the former Township of Pittsburgh; and

Whereas a Public Meeting was held pursuant to the amendment on March 31, 2016;

Therefore be it resolved that the Council of The Corporation of the City of Kingston determines that no further notice is to be given in respect of this by-law as no substantial changes were made to the amendment after holding the Public Meeting; and

That the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 32-74 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 Pittsburgh”, as amended, is hereby further amended as follows:

1.1 **Amend** Section 4. “Definitions” by including the following definition in alphabetical order:

“**Casino Gaming Facility** means any building developed and used for the purpose of providing slot machine or table game wagering or betting, authorized and licensed by the Province of Ontario.”

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: June 21, 2016

John Bolognone
City Clerk

Bryan Paterson
Mayor