

By-Law Number 2019-XX

A By-Law to Amend By-Law Number 8499, “Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston”, as amended (Zone Change from Multiple-Family Dwelling ‘B3’ Zone to Special Multiple-Family ‘B3.561’ Zone, 203-205 Colborne Street)

Passed: [Meeting Date]

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 19 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from Multiple-Family ‘B3’ Zone to Special Multiple-Family ‘B3.561’ Zone, as shown on Schedule “A” attached to and forming part of By-Law Number 2019-____.
 - 1.2. By **Adding** the following section 561 in Part VIII – Exceptions To Various Zone Classifications – as follows:

“561. 203-205 Colborne Street

Notwithstanding the provisions of this by-law to the contrary, the lands designated ‘B3.561’ on Schedule ‘A’ hereto, the following regulations shall apply:

- (a) The use of a cellar as a portion of a dwelling unit and/or as a habitation unit is permitted.

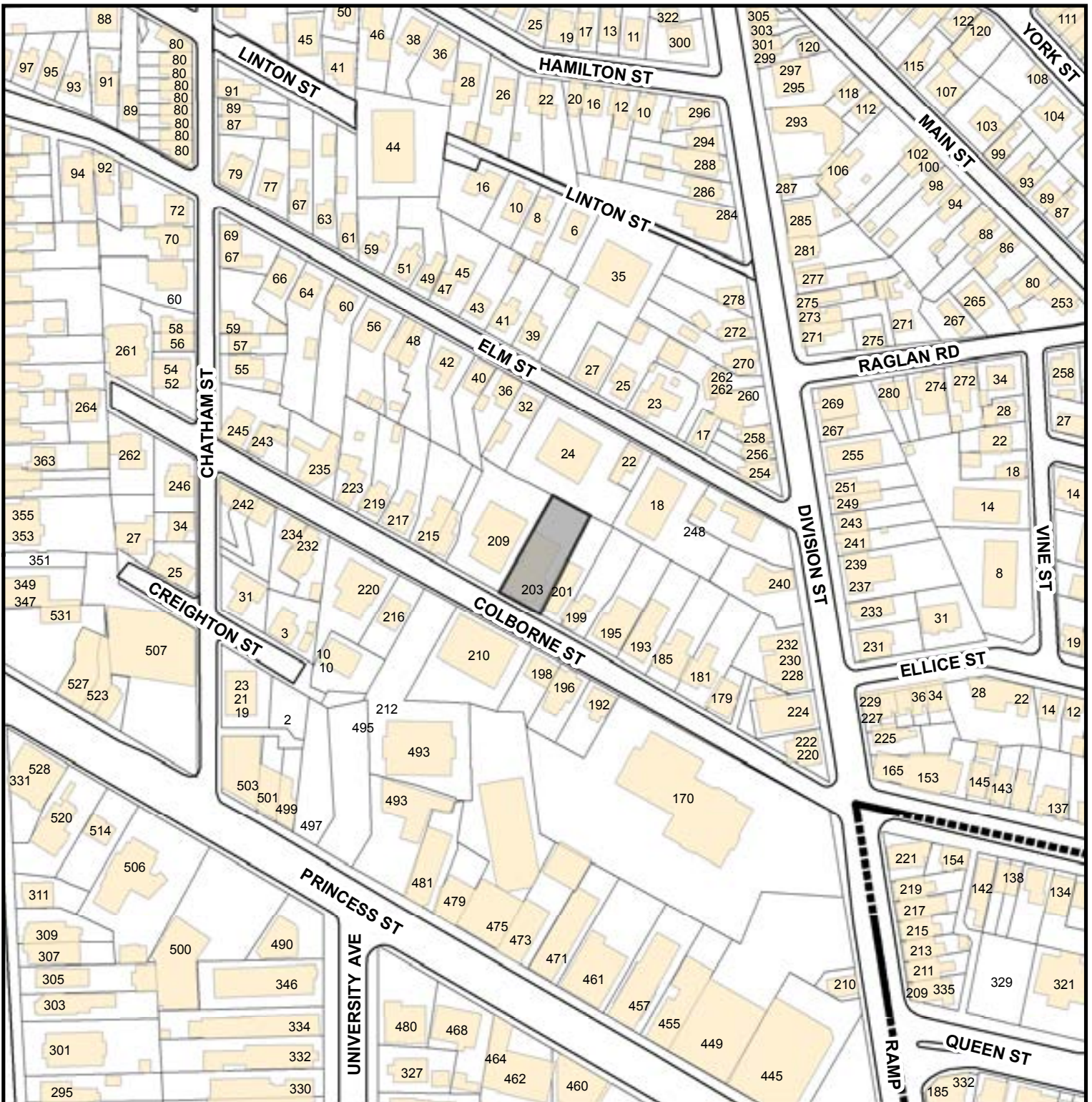
- (b) Vehicular Parking:
 - (i) The minimum number of off-street vehicular parking spaces for 4 or 5 residential units shall be 3.
- (c) Bicycle Parking:
 - (i) Bicycle parking may be provided within the existing building;
 - (ii) The minimum bicycle parking space dimensions shall be 1.8 metres x 0.3 metres x 2.1 metres; and
 - (iii) Notwithstanding minimum yard provisions to the contrary, covered bicycle parking may be located in a side or rear yard provided it is a minimum of 1 metre from the side lot line and rear yard lot line, respectively.
- (d) Lot Occupancy: The existing lot occupancy of the property is permitted to continue. Any future redevelopment of the site or a portion thereof shall comply with the lot occupancy of the applicable parent zone.
- (e) A minimum 1.2 metre walkway shall be provided for the full depth of the property from the front lot line to the rear lot line.
- (f) Existing and future building projections that are greater than 1.2 metres in height are permitted to have a combined maximum multi-level area of 55 square metres within the interior side yards and rear yard of the property.
- (g) The portion of the building identified as “Building 1” existing on the date of the passage of this by-law and detailed on Schedule “B”, attached to and forming part of By-Law 2019-____, is deemed to be legal non-complying for the purposes of zoning.
- (h) The minimum interior side yard for existing and future projections attached to “Building 1” on Schedule “B”, attached to and forming part of By-Law 2019-____, shall be 0.5 metres on the west side of “Building 1” and 2 metres on the east side of “Building 1”.
- (i) The minimum interior side yard for existing and future projections attached to “Building 2” on Schedule “B”, attached to and forming part of By-Law 2019-____, shall be 3 metres on the east side of “Building 2”.
- (j) The existing interior side yard and aggregate side yard of “Building 2” existing on the date of the passage of this by-law and detailed on Schedule “B”, attached to and forming part of By-Law 2019-____, are deemed to comply. Any future re-development of the site with a new building or a proposed building addition outside of the footprint of “Building 1” shall comply with the setback provisions of the applicable parent zone.

2. That this by-law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting Date]

John Bolognone
City Clerk

Bryan Paterson
Mayor



Planning, Building
& Licensing Services


a department of
Community
Services

SCHEDULE 'A' TO BY-LAW NUMBER

Applicant: IBI Group Incorporated
Owner: Jay Patry
File Number: D14-195-2010
Address: 203-205 Colborne Street

LEGEND

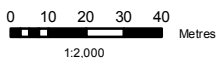
Reference By-Law 8499, Map 19

 Rezoned from B3 to B3.561

Certificate of Authentication

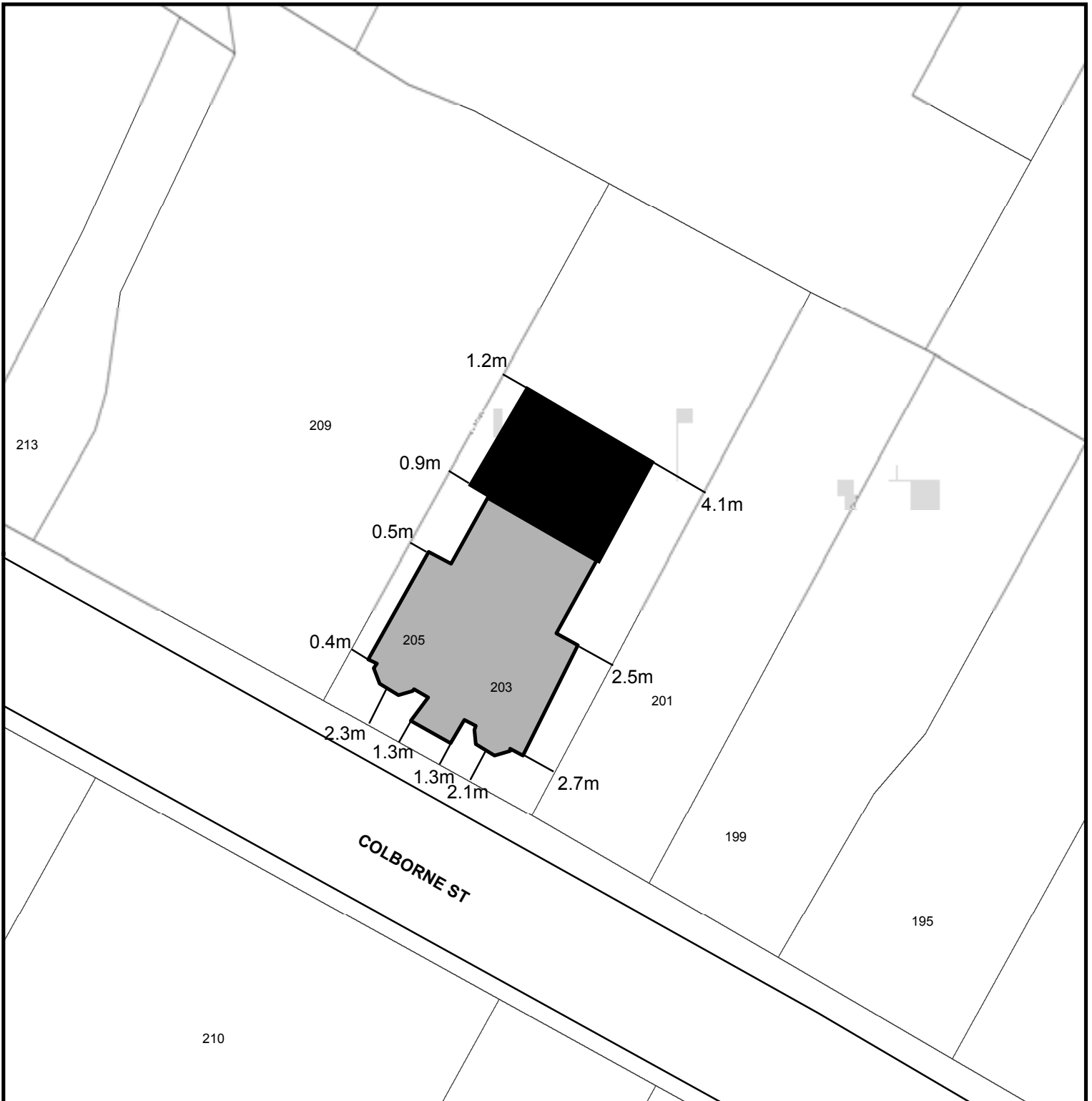
This is Schedule 'A' to By-Law Number _____,
passed this _____ day of _____ 2019.

PREPARED BY: A. Dowker
DATE: 9/6/2018



Mayor

Clerk



Planning, Building & Licensing Services

a department of Community Services

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

Applicant: IBI Group Incorporated
 Owner: Jay Patry
 File Number: D14-195-2010
 Address: 203-205 Colborne Street

LEGEND

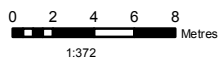
Reference By-Law 8499

- Building 1
- Building 2

Certificate of Authentication

This is Schedule 'B' to By-Law Number _____,
 passed this _____ day of _____ 2019.

PREPARED BY: J.Partridge
 DATE: 11/1/2018



 Mayor

 Clerk

By-Law Number 2019-XXX

A By-Law To Amend By-Law Number 2005-40 “A By-Law to Designate Brownfields Project Areas 1A, 1B, 2, 3 and 4 as Community Improvement Project Areas” (40 Sir John A. Macdonald Boulevard)

Passed: [Meeting Date]

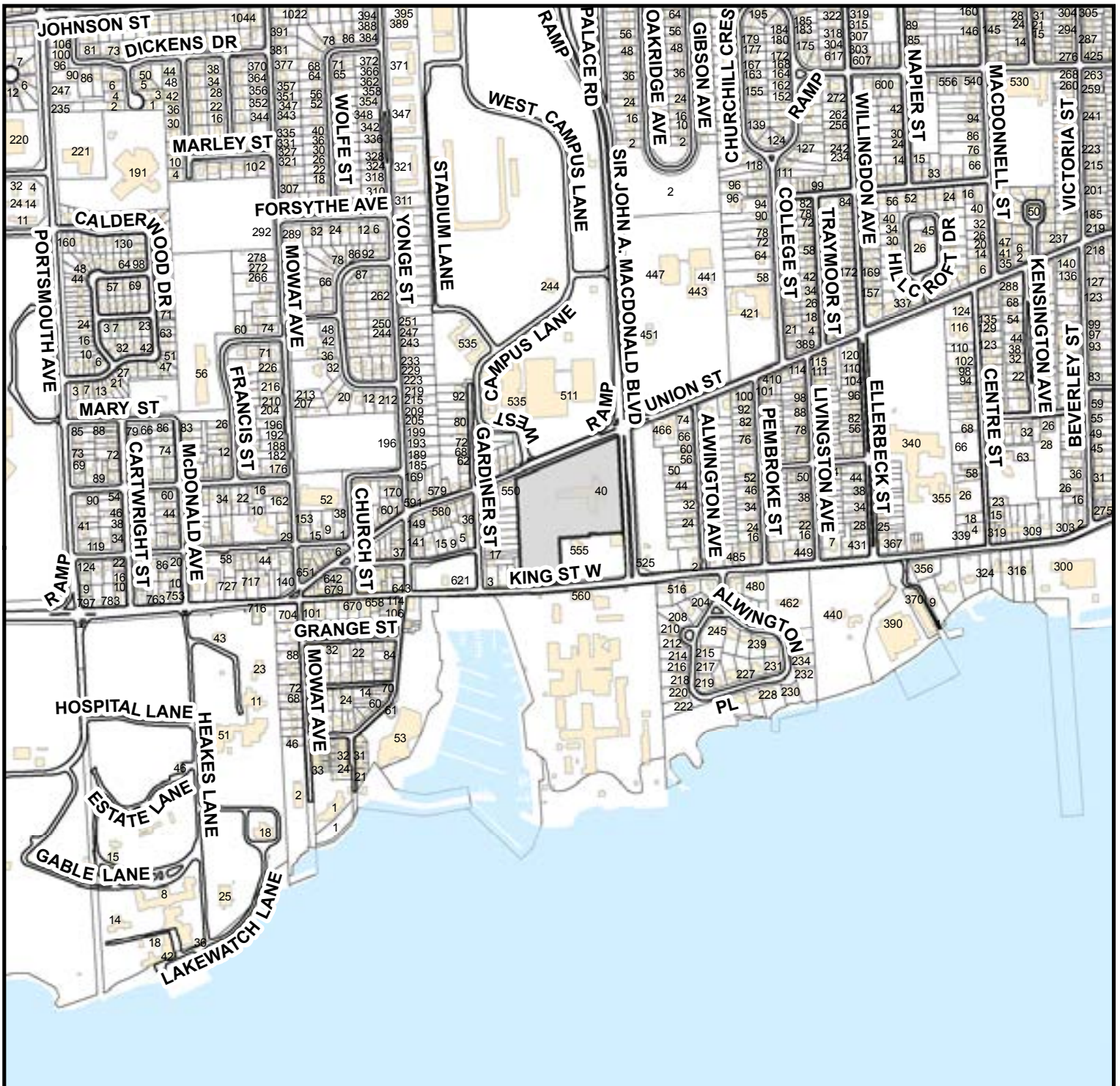
Therefore be it resolved that the Council of The Corporation of the City of Kingston, in accordance with the provisions of Section 28 of the *Planning Act*, R.S.O. 1990, c. P13, as amended, hereby enacts as follows:

1. Schedule ‘A’ to By-Law Number 2005-40 of The Corporation of the City of Kingston, being a By-Law to Designate Brownfields Project Areas 1A, 1B, 2, 3 and 4 as Community Improvement Project Areas, be amended by adding the new Project Area 5 as shown on Schedule ‘A’ attached hereto.
2. By-Law Number 2005-40 of The Corporation of the City of Kingston be re-named as “A By-Law to Designate Brownfields Project Areas 1A, 1B, 2, 3, 4 and 5 as Community Improvement Project Areas”.
3. That this by-law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting date]

John Bolognone
City Clerk

Bryan Paterson
Mayor



Planning, Building
& Licensing Services


a department of
Community
Services

SCHEDULE 'A' TO BY-LAW NUMBER

Applicant: Siderius Developments Ltd
Co-applicant: Fotenn Consultants Inc.
Owner: Siderius Developments Ltd
File Number: D09-007-2018
Address: 40 Sir John A. Macdonald Boulevard

LEGEND

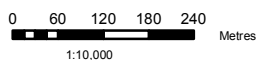
Reference By-Law 2005-40

 Area to be added as a new Community Improvement Project Area

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____,
passed this _____ day of _____ 2019.

PREPARED BY: J.Partridge
DATE: 10/17/2018



Mayor

Clerk

By-Law Number 2019-XXX

**A By-Law To Amend By-Law Number 2005-41 “ A By-Law to Adopt the
Community Improvement Plan for Brownfields Project Areas 1A, 1B, 2, 3 and 4”
(40 Sir John A. Macdonald Boulevard)**

Passed: [Meeting Date]

Therefore be it resolved that the Council of The Corporation of the City of Kingston, in accordance with the provisions of Section 28 of the *Planning Act*, R.S.O. 1990, c. P13, as amended, hereby enacts as follows:

1. Schedule ‘A’ to By-Law Number 2005-41 of The Corporation of the City of Kingston, being a By-Law to Adopt the Community improvement Plan for Brownfields Project Areas 1A, 1B, 2, 3 and 4, be amended by re-naming Section 5.5 as Section 5.6.
2. Schedule ‘A’ to By-Law Number 2005-41 of The Corporation of the City of Kingston, being a By-Law to Adopt the Community improvement Plan for Brownfields Project Areas 1A, 1B, 2, 3 and 4, be amended by adding a new Section 5.5 as shown on Schedule ‘A’ attached hereto.
3. By-Law Number 2005-41 of The Corporation of the City of Kingston be re-named as “ A By-Law to Adopt the Community Improvement Plan for Brownfields Project Areas 1A, 1B, 2, 3, 4 and 5”.
4. That this by-law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting date]

John Bolognone
City Clerk

Bryan Paterson
Mayor

5.5 Community Improvement Project Area 5 (40 Sir John A. Macdonald Boulevard)

Community Improvement Project Area 5 was approved in [date] and comprises the property of the former Prison for Women, located south of Union Street, west of Sir John A. Macdonald Boulevard and north of King Street West. The property has an area of approximately 3.27 hectares, with the following approximations of frontage: 175 metres on Sir John A. Macdonald Boulevard, 198 metres on Union Street and 73 metres on King Street West. The site is bounded by the west campus of Queen's University to the north, Institutional and residential uses to the east, institutional uses and Lake Ontario to the south and residential uses to the west. The former maximum-security prison was established in 1934 and was decommissioned in 2000. In 2007, the property was sold by Canada Lands Company Limited, on behalf of the Correctional Services of Canada in 2007 to Queen's University.

The property was sold by Queen's University in 2018 to Siderius Developments Limited. Siderius Developments Limited has informed the City that due to past uses on the property, the site and existing building would require environmental clean-up to facilitate future re-development. In 2018, City Council directed staff to consider the property as a new Project Area within the Brownfield Community Improvement Plan upon receipt of the requisite *Planning Act* application from the property owner to amend the Plan.