

BY-LAW NO. 2012---

A BY-LAW TO AMEND BY-LAW NO. 97-102, "CATARAQUI NORTH ZONING BY-LAW" (Modify the Existing MU1*1 Zone, 471 Cataraqui Woods Drive)

PASSED:

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 No. 97-102, Cataraqui North Zoning By-Law, as amended;

NOW THEREFORE the Council of The Corporation of the City of Kingston hereby **ENACTS** as follows.

1. By-Law No. 97-102 of The Corporation of the City of Kingston, entitled "Cataraqui North Zoning By-Law", as amended, is hereby further amended as follows:

1.1. That the following Section 7.4, MU1*1, 471 Cataraqui Woods Drive be amended as follows:

Notwithstanding any provisions of this By-Law to the contrary, that in addition to the existing MU1*1 Zone provisions, that the lands designated 'MU1*1' shall be used and developed in accordance with the following additional provisions:

- i) **Maximum Gross Leasable Retail Area:**
the maximum gross leasable retail area shall be 2,999 square metres.
- ii) **Permitted Uses:**
That in addition to the uses permitted in the Special Mixed Use 'MU1*1' Zone a retirement home use and accessory personal service shop, retail use and recreational use to be utilized exclusively by the retirement home residents and staff are permitted;
- iii) That for the purposes of zone interpretation all parcels within the 'MU1*1' Zone shall be treated as a single parcel;
- iv) **Maximum Building Height:**
a maximum building height of 26 metres for a retirement home use
- v) **Parking:**
That for the purposes of a retirement home use the minimum of 0.60 parking spaces per dwelling unit shall be provided.

- vi) That notwithstanding any provisions to the contrary the maximum residential density shall be 150 dwelling units per hectare;
- vii) permit a dwelling unit equivalency ratio of 2 retirement home suites, as defined herein, to one dwelling unit (2:1 units) for a retirement home use; and
- viii) **Retirement Home Suite:**
Shall be defined as a habitable space designed for living and sleeping consisting of studios, one or two bedrooms, private bathroom and separate entrance from a common hall, and a kitchenette which may include convenience facilities such as a bar fridge and a microwave oven, but without full cooking facilities.

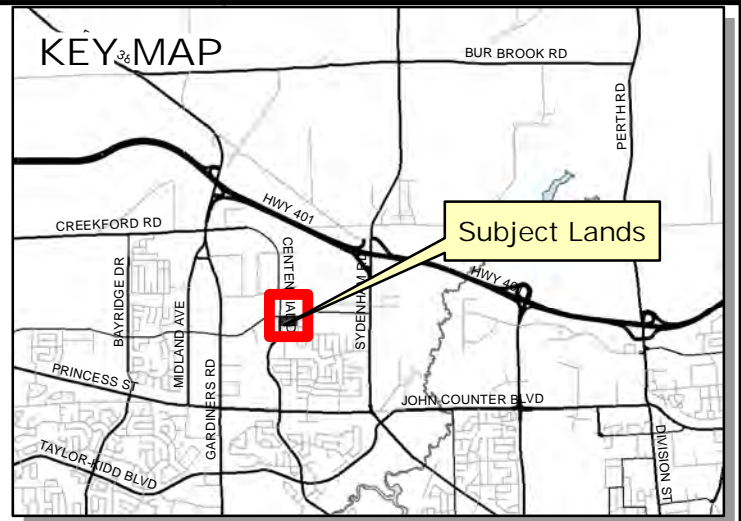
2. This By-Law shall come into force and take effect on its passing, provided no Notice of Appeal is filed to this By-Law, all in accordance with the provisions of Section 34, Subsections 19 and 30 of the Planning Act, R.S.O. 1990, c. P. 13; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the provisions of Section 34, Subsections 19 and 30 of the Planning Act, R.S.O. 1990, c. P. 13 apply and the By-Law shall be deemed to have come into force and take effect on the day it was passed.

GIVEN ALL THREE READINGS AND PASSED

CITY CLERK

MAYOR

DETAIL



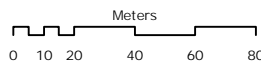
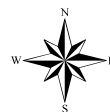
Planning & Development
a department of Sustainability & Growth

PREPARED BY: A. Dowker
DATE: Dec 29, 2011

THE CORPORATION OF THE CITY OF KINGSTON
PLANNING & DEVELOPMENT DEPARTMENT

KEY MAP

Applicant: 4434668 Canada Inc
File Number: D14-229-2011
Address: 471 Cataraqui Woods Drive
Legal Description: PLAN 13M72 BLK 1
ARN: 101108019030600



Legend

Subject Lands

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BY-LAW NO. 2012-

A BY-LAW TO AMEND BY-LAW NO. 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" (Modify site-specific "Restricted General Industrial" - 'M6-1', Hydro corridor lands abutting 566 Cataraqui Woods Drive)

PASSED: January , 2012

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 No. 76-26, as amended, of the former Township of Kingston;

NOW THEREFORE the Council of The Corporation of the City of Kingston hereby **ENACTS** as follows.

1. By-Law No. 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. That Zone Map No. 3 of Zoning By-Law No. 76-26, as amended, is hereby further amended by changing the zone symbol of the subject site from 'M6-1' to 'M6-18' as shown on Schedule 'A' attached hereto and forming part of By-Law No. 2012-.

2. This By-Law shall come into force and take effect on its passing, provided no Notice of Appeal is filed to this By-Law, all in accordance with the provisions of Section 34, Subsections 19 and 30 of the Planning Act, R.S.O. 1990, c. P. 13; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the provisions of Section 34, Subsections 19 and 30 of the Planning Act, R.S.O. 1990, c. P. 13 apply and the By-Law shall be deemed to have come into force and take effect on the day it was passed.

GIVEN ALL THREE READINGS AND PASSED January , 2012

CITY CLERK

MAYOR

BY-LAW NO. 2012-__

A BY-LAW TO AMEND BY-LAW NO. 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 Development 'D-3' Zone to Special Residential Type 4 'R4-37' Zone and Highway Commercial 'C2-67' Zone, 3480 Princess Street)

PASSED: month day, year-*not bold*

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 No. 76-26, as amended, of the former Township of Kingston;

NOW THEREFORE the Council of The Corporation of the City of Kingston hereby ENACTS as follows.

1. By-Law No. 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 the subject site from 'D-3' to 'R4-37-H' and D-3 to 'C2-67-H', as shown on Schedule "A" attached to and forming part of By-Law No. 2012-__.
 - 1.2. By Adding a new Section 15(3)(jj) thereto as follows:

"(jj) 'R4-37-H' – 3840 Princess Street

Notwithstanding the provisions of Section 15 hereof to the contrary, the lands Zoned 'R4-37' on Schedule 'A' hereto, the following regulations shall apply:

- 1) Permitted use: Row Dwelling House
- 2) Lot Area Minimum: 190 square metres
- 3) Lot Frontage Minimum: 6.0 metres and 12.0 metres for corner lots
- 4) Exterior Side Yard Minimum: 3.0 metres
- 5) Interior Side Yard Minimum: 1.2 metres for end units
- 6) Landscaped Open Space Minimum: 30%
- 7) Lot Coverage Maximum: 50%
- 8) Building Height Maximum: 11 metres

- 9) Notwithstanding any regulations to the contrary the maximum number of dwelling units per row dwelling house shall be 4 dwelling units
- 10) Minimum Rear Yard Setback: 7.62 metres."

1.3. By **Adding** a new subsection 19 (bo) thereto as follows:

"(bo) **'C2-67-H' - 3480 Princess Street**

Notwithstanding the provisions of Section 20 hereof to the contrary, the lands Zoned 'C2-67' on Schedule 'A' hereto, the following regulations shall apply:

- 1) Permitted uses, limited to: a retail use; a restaurant, except a drive through restaurant; a clinic, a veterinary clinic, a commercial club, a personal service shop, a day nursery, a public use, in accordance with the provisions of Section 5(18) hereof; a professional and business office use; a commercial school, a financial institution; a mixed commercial/residential use
- 2) Prohibited uses: automobile and vehicle sales and service establishment, a gasoline retail facility; boat sales and rental establishment, ground floor residential use, a drive through facility accessory to a permitted use
- 3) Lot Area Minimum: 3,700 square metres
- 4) Lot Frontage Minimum: 23 metres
- 5) Exterior Side Yard Minimum: 9.0 metres
- 6) Interior Side Yard Minimum: 9.0 metres for end units
- 7) Landscaped Open Space Minimum: 15%
- 8) Lot Coverage Maximum: 60%
- 9) Building Height Maximum: 15 metres
- 10) The minimum height of ground floor commercial in a mixed commercial/residential building shall be 4.0 metres.
- 11) Maximum Floor Area per Professional and/or Business Office Use: 200 square metres
- 12) Maximum aggregate floor area of Professional and/or Business Office Uses: 600 square metres
- 13) For the purposes of this Zone a Mixed Commercial/Residential use shall be defined as, "a building or structure which is used for a mixture of commercial and residential uses, where the entire ground floor of such building or structure shall be used for commercial purposes."

2. This By-Law shall come into force and take effect on its passing, provided no Notice of Appeal is filed to this By-Law, all in accordance with the provisions of Section 34, Subsections 19 and 30 of the Planning Act, R.S.O. 1990, c. P. 13; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the provisions of Section 34, Subsections 19 and 30 of the Planning Act, R.S.O. 1990, c. P. 13 apply and the By-Law shall be deemed to have come into force and take effect on the day it was passed.

GIVEN ALL THREE READINGS AND PASSED month day, year-*not bold*

CITY CLERK

MAYOR

BY-LAW NO. 2012-__

A BY-LAW TO AMEND THE OFFICIAL PLAN FOR THE CITY OF KINGSTON PLANNING AREA
(AMENDMENT NO. 12, known municipally as 3480 Princess Street)

PASSED:

WHEREAS a public meeting was held regarding this amendment on May 20, 2012;

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 change which shall constitute Amendment No. 12 to the Official Plan for the City of Kingston.

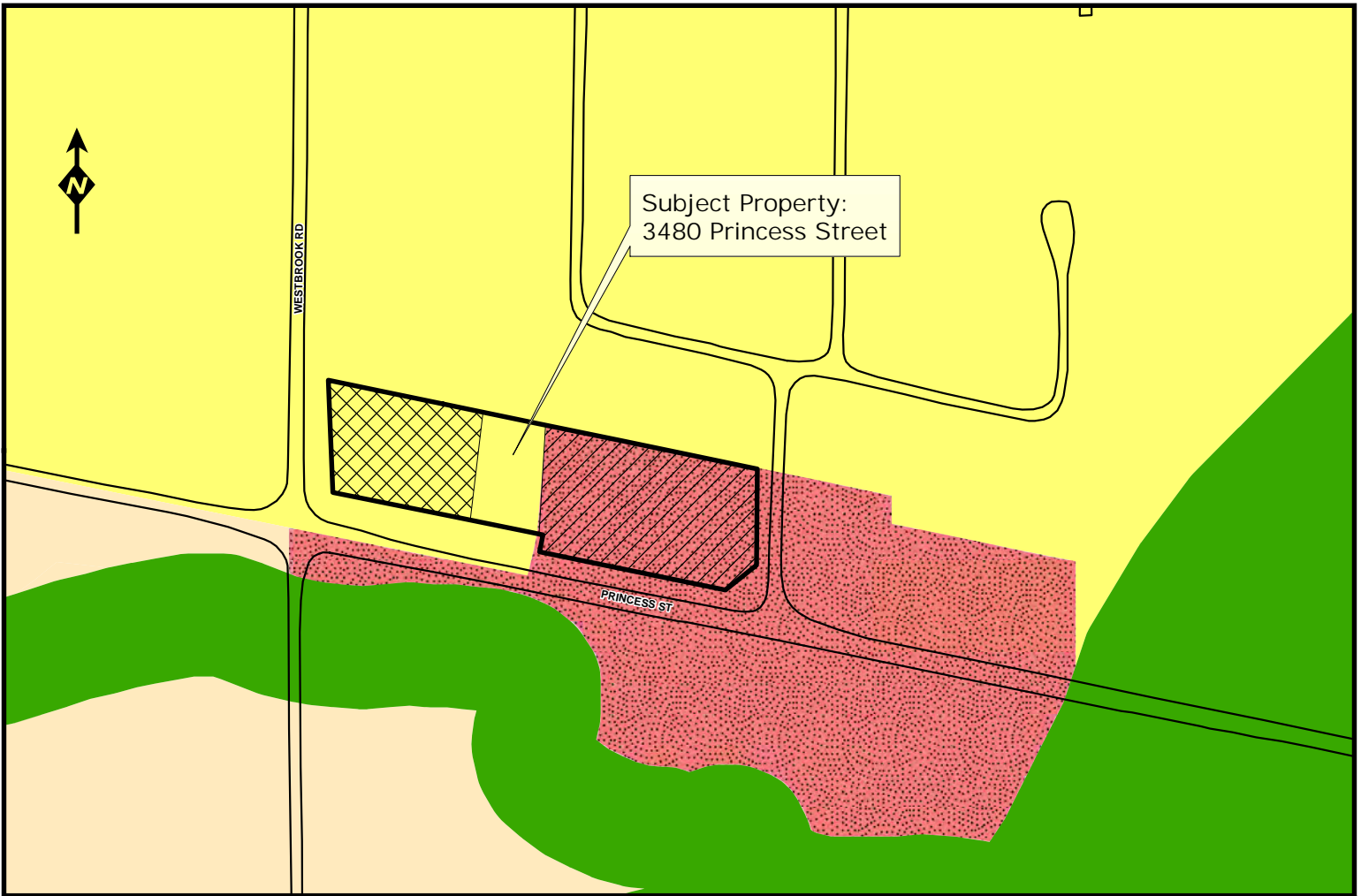
- (a) **AMEND** Schedule '3-A, Land Use' of the Official Plan for the City of Kingston, so as to designate 3480 Princess Street, as shown on Schedule 'A' to By-Law No. 2012-__, as 'Residential' and 'District Commercial'.

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

CITY CLERK

MAYOR



Legend

RESIDENTIAL

- RESIDENTIAL
- ESTATE RESIDENTIAL

COMMERCIAL

- CENTRAL BUSINESS DISTRICT
- REGIONAL COMMERCIAL
- MAIN STREET COMMERCIAL
- DISTRICT COMMERCIAL
- ARTERIAL COMMERCIAL

EMPLOYMENT

- BUSINESS PARK INDUSTRIAL
- GENERAL INDUSTRIAL
- WASTE MANAGEMENT INDUSTRIAL
- AIRPORT

RURAL

- RURAL AREA
- PRIME AGRICULTURAL AREA
- RURAL COMMERCIAL

- RURAL INDUSTRIAL
- MINERAL RESOURCE AREA

OTHER

- INSTITUTIONAL
- DEFERRED AREA
- OPEN SPACE
- ENVIRONMENTAL PROTECTION AREA



Planning & Development
a department of Sustainability & Growth

THE CORPORATION OF THE CITY OF KINGSTON

Schedule 'A' to By-Law
Official Plan Amendment No. _____

Applicant: 1278804 Ontario Corporation O/A Grant Construction
File Number: D09-51-2010, D12-055-2010, D14-182-2010
Address: 3480 Princess Street
Lot/Con: KINGSTON CON 3 WA PT LOT 2; PLAN 683
PT SERVICE RD; RP 13R10886 PART 2 AND PT PART1;
13R300 PT PART 1
ARN: 101108021001500



Legend

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

- Lands subject to to change from District Commercial to Residential
- Lands subject to to change from Residential to District Commercial

Certificate of Authentication

This is Schedule 'A' to By-law No. _____,
passed this ____ day of _____ of 20__.

Mayor

Clerk

BY-LAW NO. 2012-__

A BY-LAW TO AMEND THE OFFICIAL PLAN FOR THE CITY OF KINGSTON PLANNING AREA
(AMENDMENT NO. 13, 725 Highway 15)

PASSED: ____, 2012

WHEREAS a public meeting was held regarding this amendment on November 3, 2011;

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 and text change which shall constitute Amendment No. 13 to the Official Plan for the City of Kingston.

(a) **AMEND** Schedule 'RC-1', 'Rideau Community', of the City of Kingston Official Plan, so as to re-designate a portion of the property located on the east side of Highway 15, north of Barrett Court, as shown on Schedule 'A' to By-Law No. 2012-__, from 'Highway Commercial' to 'High Density Residential (RC-1-3)'.

2. That the City of Kingston Official Plan, as amended, be further amended by adding the following new Site Specific Policy as Section 10B.14.3:

"725 Highway 15
SSP No. RC-1-3

10B.14.3 On the lands located on the rear portion of 725 Highway 15 and designated as High Density Residential, the following policies apply:

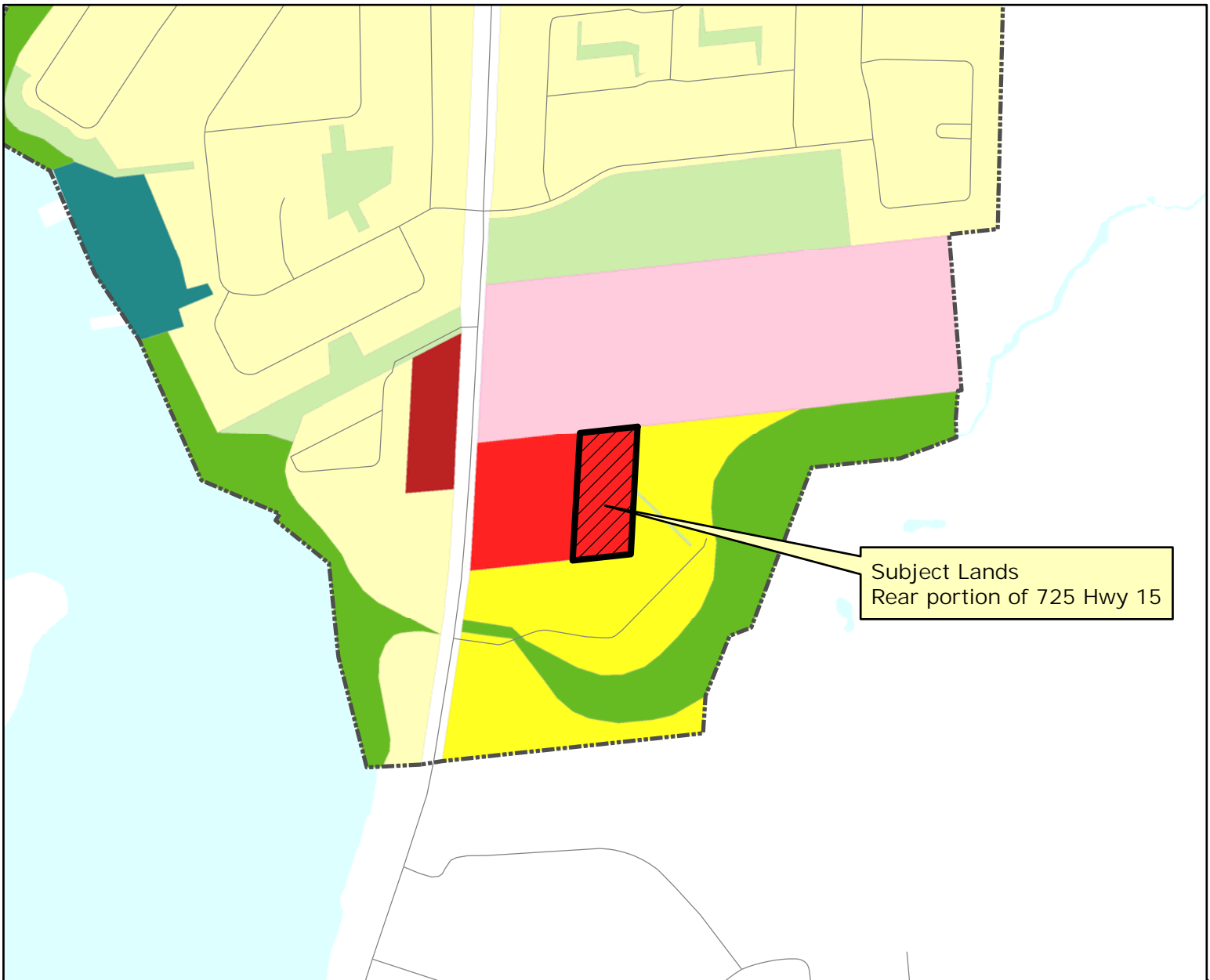
- a. the maximum number of dwelling units shall be 180;
- b. the maximum permitted density is 160 dwelling units/net ha; and,
- c. no lot frontage is required on the condition that access is provided by way of a shared right-of-way registered on title."

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 ____, ____, 2012

















CITY CLERK

MAYOR



LEGEND

LAND USE

 SHOPPING CENTRE COMMERCIAL	 MEDIUM DENSITY RESIDENTIAL (MDR-1)	 MARINA
 HIGHWAY COMMERCIAL	 HIGH DENSITY RESIDENTIAL	 ENVIRONMENTAL PROTECTION AREA
 NEIGHBOURHOOD CENTRE	 SPECIAL STUDY AREA	 OPEN SPACE
 VILLAGE CENTRE	 INSTITUTIONAL	 RURAL
 LOW DENSITY RESIDENTIAL	 BUSINESS PARK INDUSTRIAL	 AREA TO WHICH THIS SCHEDULE APPLIES
	 EXISTING QUARRY	



Planning & Development
 a department of Sustainability & Growth

PREPARED BY: A. Adams
 DATE: Dec 30, 2011


THE CORPORATION OF THE CITY OF KINGSTON

SCHEDULE 'A' TO BY-LAW _____
Official Plan Amendment No. 13

Applicant: Homestead Land Holdings Ltd
 File Number: D09-061-2011
 Address: 725 Hwy #15
 Legal Description: Part of CON EGCR PT LOT 15
 RP 13R734; PART 1 AND 2
 ARN: Part of 1011 090 090 09400

Legend:

Official Plan Schedule RC-1, Land Use
 City of Kingston

 Lands Subject to change from 'Highway Commercial' to 'High Density Residential (Site Specific Policy RC-1-3)'

Certificate of Authentication

This is Schedule 'A' to By-Law No. _____
 passed this ____ day of ____ 2012

 Mayor

 Clerk

BY-LAW NO. 2012-__

A BY-LAW TO AMEND BY-LAW NO. 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 'CH-10' to 'R3-13', 725 Highway 15)

PASSED: ____, 2012

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 No. 32-74, as amended, of the former Township of Pittsburgh;

NOW THEREFORE the Council of The Corporation of the City of Kingston hereby **ENACTS** as follows.

1. By-Law No. 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. That Zoning Schedule "A", Map 4 of Zoning By-Law No. 32-74, as amended, is hereby further amended by changing the zone symbol to 'R3-13' for the lands shown as "Subject Lands Rezoned from CH-10 to R3-13" on Schedule "A" attached hereto and forming part of amending By-Law No. 2012-__.
2. That the following be added as Section 11 (3)(m) of the By-Law:

"(m) 725 Highway 15

Notwithstanding any provisions of Section 5 or Section 11 hereof to the contrary, on the lands zoned 'R3-13' on Schedule "A" attached hereto, the following provisions shall apply:

- a) LOT AREA (minimum):
 - (i) Apartment dwelling house: 62.8 square metres per dwelling unit
- b) LOT FRONTAGE (minimum): There shall be no minimum lot frontage requirement
- c) SETBACKS FROM ZONE LINE:
 - (i) Zone line nearest Highway 15 (west zone line): 10.8 metres
 - (ii) All other zone lines: 15.5 metres

- d) SETBACKS FROM ZONE LINE FOR UNDERGROUND PARKING GARAGE: 0.25 metres
- e) DWELLING UNIT AREA (minimum):
 - (i) Dwelling unit containing 1 bedroom: 55 square metres
 - (ii) Dwelling unit containing 2 bedrooms: 73 square metres
- f) MAXIMUM NUMBER OF DWELLING UNITS: 180
- g) MAXIMUM BUILDING HEIGHT: 44 metres
- h) YARD WHERE PARKING AREA PERMITTED: All yards

2. This By-Law shall come into force and take effect on its passing, provided that Official Plan Amendment No. 13 is approved and no Notice of Appeal is filed to this By-Law; all in accordance with the provisions of Section 34, Subsections 19 and 30 of the Planning Act, R.S.O. 1990, c. P. 13; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the provisions of Section 34, Subsections 19 and 30 of the Planning Act, R.S.O. 1990, c. P. 13 apply and the By-Law shall be deemed to have come into force and take effect on the day it was passed.

GIVEN ALL THREE READINGS AND PASSED _____, _____, 2012

CITY CLERK

MAYOR