

By-Law Number. 2014-XX

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” (Zone Change from ‘R1-3’ to ‘R1-69’, 885 Haverhill Road)

Passed: Meeting date, 2014

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;

Therefore be it resolved that 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 5 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘R1-3’ to ‘R1-69’, as shown on Schedule “A” attached to and forming part of By-Law Number 2014-____.

1.2. By **Adding** a new subsection 12(3)(bm) thereto as follows:

“(bm) R1-69 (885 Haverhill Drive)

Notwithstanding any provisions of Section 12 to the contrary, the lands zoned ‘R1-69’ on Schedule ‘A’ hereto, the following regulations shall apply:

(i) **ADDITIONAL PERMITTED USES:**

A Second Residential Unit

(ii) PROHIBITED USES:

Garden Suite;
Boarding House;
Lodging House.

(iii) LOT AREA (minimum): 557 square metres

(iv) LOT FRONTAGE (Minimum): 16.76 metres

(v) SECOND RESIDENTIAL UNIT

(a) Second Residential Unit Area:

A second residential unit shall have a gross floor area not exceeding 40% of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. For the purposes of this provision, calculations for gross floor area shall refer to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:

- (i) floor area occupied by mechanical, service, and electrical equipment that serve the building;
- (ii) an open porch or balcony; and
- (iii) areas internal to the building that are intended for the storage of vehicles.

(b) Second Residential Units Per Dwelling House
(maximum): 1 only

(c) ACCESS:

The second residential unit shall have separate access from that of the principal residential unit. Access shall be provided at the front of the building, or at the side or rear of the building where a minimum 1.14 metre wide unobstructed walkway from the front of the building to the access is provided.

(d) ACCESSORY USES, PARKING ETC:

- (i) In addition to any other parking requirements, parking space(s) required by subsection 5(16)(a) of the By-Law shall be provided for the second residential unit. Notwithstanding anything to the contrary in this By-

Law, the required parking may be provided through a tandem or stacked parking arrangement. The parking space location for the second residential unit shall meet the yard and driveway provisions of the zone;

- (ii) An additional driveway shall not be permitted for a second residential unit.”

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: Meeting date, 2014

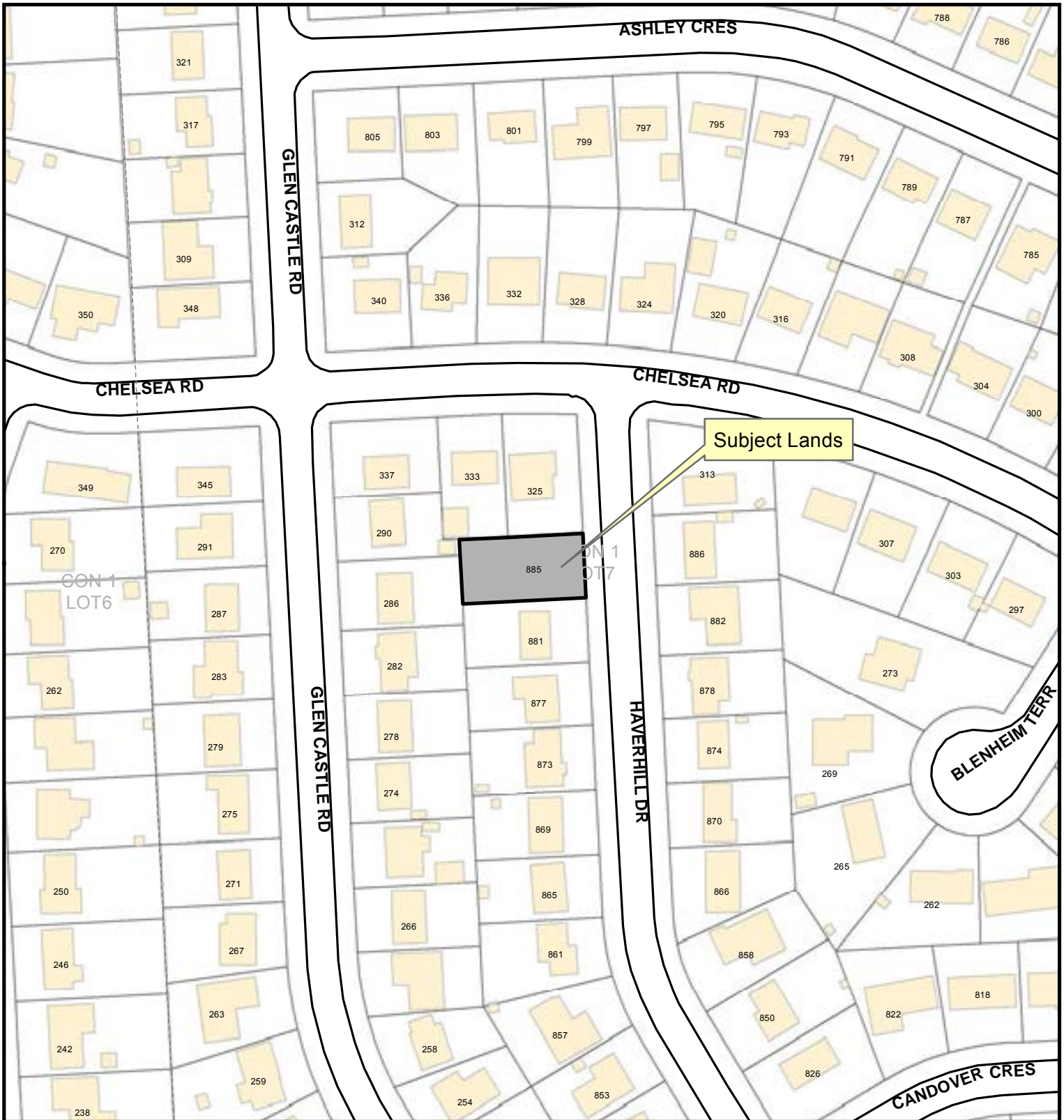
John Bolognone
City Clerk

Bryan Paterson
Mayor

Schedule “A”

Heading Two (If Necessary)

Text XXXXX.



THE CORPORATION OF THE CITY OF KINGSTON

**SCHEDULE 'A'
TO BY-LAW NO.**

Planning &
Development
a department of
Community
Services

Applicant: Patrick O'Connor
File Number: D14-086-2014
Address: 885 Haverhill Drive
Legal Description: PLAN 1476 LOT 373
ARN: 1011080060121000000

Legend:

Reference By-Law 76-26 Map 4

 Subject Lands Rezoned from R1-3 to R1-69

Certificate of Authentication

This is Schedule 'A' to By-Law No. _____,
passed this _____ day of _____ 2014.



By-Law Number. 2014-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 ‘A’ to ‘A.458’, 50 Hamilton Street)

Passed: Meeting date, 2014

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. 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 No. 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 ‘A’ to ‘A.458’, as shown on Schedule “A” attached to and forming part of By-Law Number 2014-_____.

1.2. By **Adding** a new subsection 458 to Part VIII - Exceptions To Various Zone Classifications thereto as follows:

“458. (50 Hamilton Street, 41 Linton Street)

Notwithstanding the provisions of Section 5 and 6 hereof to the contrary, the lands designated ‘A.458’ on Schedule ‘A’ hereto, the following regulations shall apply:

- | | |
|---------------------------|-------------------|
| (a) Minimum Lot Area: | 260 square metres |
| (b) Minimum Rear Yard: | 5.2 metres |
| (c) Maximum Lot Coverage: | 38%” |

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: Meeting date, 2014

John Bolognone
City Clerk

Bryan Paterson
Mayor

Schedule “A”

Heading Two (If Necessary)

Text XXXXX.



THE CORPORATION OF THE CITY OF KINGSTON
**SCHEDULE 'A'
 TO BY-LAW NO.**

Planning &
 Development
 a department of
 Community
 Services

Applicant: Martin Mack Holdings Inc.
 File Number: D14-083-2014
 Address: 50 Hamilton Street
 Legal Description: CON 1 ABSTRACT
 BLK NN FARM; LOT 24 PLAN D11 PT
 LOT 1 RP; 13R17816
 ARN: 1011030020075000000

Legend:

Reference By-Law 8499 Map 19

 Subject Lands Rezoned from A to A.458

Certificate of Authentication

This is Schedule 'A' to By-Law No. _____,
 passed this _____ day of _____ 2014.

