

By-Law Number 2015-XX

A By-Law to Amend By-Law Number 8499, “Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston” (Replacing B.303 Zone Provisions, 180 Bagot Street, 182 Bagot Street, 184 Bagot Street and 111 William Street)

Passed: Meeting date, 2015

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. By **Deleting** section B.303 in Part VIII – Exceptions to Various Zone Classifications.
 - 1.2. By **Adding** the following section B.303 in Part VIII – Exceptions to Various Zone Classifications as follows:

“303. **B.303 (180 Bagot Street, 182 Bagot Street, 184 Bagot Street and 111 William Street)**

Notwithstanding the provisions of this By-Law hereof to the contrary, the lands designated ‘B.303’ on Schedule ‘A’ hereto, the following regulations shall apply:

- (a) 180 Bagot Street and 182 Bagot Street

- (i) Definition: A 'professional office' means an office in which a service or consultation is given, including the offices of a lawyer, a planner, an architect, a surveyor, an engineer and similar uses, and would also include a doctor's office but not a clinic.
- (ii) Permitted uses shall be limited to:
 - a. a single professional office on the ground floor and basement, including a doctor's office with a maximum of one physician; and
 - b. a single unit dwelling on the upper floors.
- (iii) Maximum building height shall be 13.3 metres.
- (iv) Minimum front yard setback shall be 0.3 metres on the east lot line and 0 metres on the south lot line.
- (v) Minimum side yard setback shall be 0 metres from the west lot line and 0.6 metres from the north lot line.
- (vi) Minimum aggregate side yard setback shall be 0.6 metres.
- (vii) Minimum rear yard shall be 0 metres.
- (viii) Maximum lot coverage shall be 76%.
- (ix) The minimum amount of outdoor amenity space shall be no less than 28 square metres and there is no requirement for a children's play space.
- (x) Parking
 - a. The minimum number of required off-street parking spaces shall be three (3) for the professional office and one (1) for the dwelling unit and these shall be provided on an adjacent lot within the same zone.
 - b. The minimum dimensions of the parking spaces for the professional office use shall be 2.6 metres by 5.2 metres and the dimensions of the barrier-free space shall be 3.7 metres by 5.2 metres.
 - c. The minimum width for a vehicle access aisle is 3.6 metres.

(b) 111 William Street

- (i) Permitted uses are limited to a single unit dwelling.
- (ii) Minimum lot area shall be 140 square metres.
- (iii) Minimum front yard setback shall be 1.4 metres.
- (iv) Minimum side yard along the east property line shall be 0 metres.
- (v) Minimum rear yard setback shall be 1.2 metres.
- (vi) Maximum lot coverage shall be 44%.
- (vii) The minimum amount of outdoor amenity space shall be no less than 46 square metres and there is no requirement for a children's play space.
- (viii) No extension or enlargement to the existing building at 111 William Street shall be permitted.

(c) 184 Bagot Street

- (i) Permitted uses are limited to a single unit dwelling.
- (ii) Minimum lot area shall be 310 square metres.
- (iii) Maximum height shall be 10.62 metres.
- (iv) Minimum aggregate side yard setback shall be 3.3 metres.
- (v) Minimum amount of amenity space shall be no less than 31 square metres and there is no requirement for a children's play space.
- (vi) Parking
 - a. A minimum of four (4) parking spaces will be located on this property. One (1) barrier free parking space and two (2) regular parking spaces shall be used exclusively for a professional office at 180 Bagot Street.
 - b. Minimum width for a vehicle access aisle is 3.6 metres.

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, 2015

John Bolognone
City Clerk

Bryan Paterson
Mayor



THE CORPORATION OF THE CITY OF KINGSTON

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

Planning, Building
& Licensing Services

a department of
Community
Services

Applicant: Mac Gervan & Associates
File Number: D14-077-2014
Address: 180 & 182 Bagot St. & 111 William St.
Legal Description: PLAN B27 PT LOT 3 LOT 4
B34; RP 13R14042 PARTS 1 & 3
ARN: 1011010110035000000

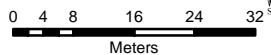
Legend:

Reference By-Law 8499 Map 31

 Subject Lands Rezoned from B.303 to ???

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____,
passed this _____ day of _____ 2015



Mayor

Clerk