

By-Law Number 2019-XXX

A By-Law to Exempt Certain Lands on Registered Plan 13M-107 from the Provisions of Section 50(5) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (Block 89, Registered Plan 13M-107)

Passed: September 3, 2019

Whereas Section 50(5) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the “Act”), provides that no person may convey a part of any lot or block that is within a registered plan of subdivision; and

Whereas Section 50(7) of the Act provides that the council of a local municipality may, by by-law, provide that Section 50(5) of the Act does not apply to land that is within a registered plan or plans of subdivision or parts thereof; and,

Whereas Tamarack (Rideau) Corporation has requested an exemption from the provisions of Section 50(5) of the Act with respect to Block 89, Registered Plan 13M-107, for the purposes of establishing a four-unit row dwelling on the Block with rights-of-way to provide rear access;

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

1. Section 50(5) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, does not apply to Block 89, Registered Plan 13M-107;
2. This exemption applies for the sole purpose of establishing a four-unit row dwelling on the Block, as approximately shown on Schedule “A” attached to this By-Law, with rights-of-way to provide rear access;
3. This By-Law shall come into force and take effect on the date of its passing; and,
4. This By-Law shall expire on September 17, 2024.

Given all Three Readings and Passed September 17, 2019.

John Bolognone
City Clerk

Bryan Paterson
Mayor

By-Law Number 2019-XX

A By-Law to Exempt Certain Lands on Registered Plan 13M-123 from the Provisions of Section 50 (5) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended (Lots 40, 41, 42 & 43 for the purpose of correcting a surveying oversight with respect to lot lines and easement boundaries)

Passed: [Meeting Date]

Whereas Subsection 50(5) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the "Act"), provides that no person may convey a part of any lot or block which is within a registered plan of subdivision; and

Whereas pursuant to Subsection 50(7) of the Act, the council of a local municipality may, by by-law, provide that Subsection 50(5) of the Act does not apply to land within such registered plan or plans of subdivision or parts thereof; and

Whereas Hopkins Chitty Land Surveyor's Incorporated, on behalf of Creekside Valley Developments Limited, has requested an exemption from the provisions of Subsection 50(5) of the Act with respect to Lots 40, 41, 42, & 43 on Registered Plan 13M-123, in order to adjust the lot lines easement boundaries to correct a surveying oversight;

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

1. Section 50(5) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, does not apply to Lots 40, 41, 42 & 43 on Registered Plan 13M-123, for the purpose of adjusting the lot lines and easement boundaries to correct a surveying oversight as shown in Schedule "A" to this By-Law;
2. This By-Law shall come into force and take effect on the date of its passing; and
3. Pursuant to Subsection 50(7.3) of the Act, this By-Law shall expire on September 17, 2021.

Given all Three Readings and Passed: [Meeting date]

John Bolognone
City Clerk

Bryan Paterson
Mayor