

By-Law Number 2019-XX

A By-Law to Amend By-Law Number 96-259, “Downtown and Harbour Zoning By-Law of The Corporation of the City of Kingston” (Zone Change from Special Central Business System ‘C1-1’ Zone to Holding Special Central Business System ‘(H)-C1-49’ Zone, 235 Brock 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 96-259, 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 96-259 of The Corporation of the City of Kingston, entitled “Downtown and Harbour Zoning By-Law of The Corporation of the City of Kingston”, as amended, is hereby further amended as follows:

1.1. Map 1 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from C1-1 to (H)-C1-49, as shown on Schedule “A” attached to and forming part of By-Law Number 2019-____.

1.2. By adding a new subsection 7.3.49 thereto as follows:

“7.3.49 235 Brock Street ((H)-C1-49)

Notwithstanding the provisions of Section 5, General Provisions, and Section 7, Central Business System (C1) Zone, hereof to the contrary, on the lands designated ‘(H)-C1-49’ on Schedule “A” hereto, the following regulations shall apply:

7.3.49.1 Permitted Uses

In addition to the permitted uses of the C1 zone, a residential use is permitted.

7.3.49.2 Regulations

- a) Maximum Building Height
The maximum permitted building height shall be 4 storeys, not to exceed 15 metres.
- b) Maximum Density
The maximum permitted density shall be 165 residential units per net hectare.
- c) Main Floor Residential
Notwithstanding Section 7.2.4(a) to the contrary, a dwelling unit on the main floor and in a cellar will be permitted following a commercial building conversion.
- d) Off-Street Parking Access
Parking areas must be accessible by a minimum of one lane which can be used for both entrance and exit in which the minimum width would be 3 metres.
- e) Minimum Accessible Parking Requirement
Notwithstanding Section 5.22.6(1)(a) to the contrary, a minimum of one Type B accessible space is required.
- f) Minimum Parking Space Dimensions
 - i) Standard parking spaces: 2.6 metres x 5.8 metres
 - ii) Type B accessible parking spaces: 2.6 metres x 5.8 metres
 - iii) Access aisles: 1.5 metres x 5.8 metres
- g) Holding Symbol:
 - i) Purpose and Requirements for Removal of Holding Symbol:
To ensure that the establishment of a basement/cellar dwelling unit does not proceed until the combined sewer system is separated and municipal services are developed to the satisfaction of the City of Kingston.
 - ii) Permitted Interim Uses: Existing uses, all permitted commercial uses in accordance with the provisions of the C1-49 Zone, and a residential use on the main floor and upper floors.
 - iii) Permitted uses when Holding Symbol is removed: A cellar or basement dwelling unit and all other permitted uses in accordance with the provisions in the Special Central Business System 'C1-49' 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



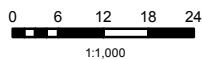
Planning, Building & Licensing Services
a department of

Community Services

PREPARED BY: A. Dowker
DATE: 2019-05-15

SCHEDULE 'A' TO BY-LAW NUMBER

File Number: D14-007-2019
Address: 235 Brock Street



LEGEND

Reference By-Law 96-259, Map 1

Rezoned from C1-1 to H-C1-49

Certificate of Authentication

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

