

By-Law No. \_\_\_\_\_

**A By-Law to establish Parts 1 to 4 inclusive, Reference Plan 13R-21858, as part of the public highway known as McAdoo's Lane in the City of Kingston, in accordance with Section 31(4) of the Municipal Act, Chapter 25, S.O. 2001**

**Passed:** \_\_\_\_\_, 2019

**Whereas** Section 31, of the Municipal Act, Chapter 25, S.O. 2001, as amended, provides for the establishing and laying out of the lands as public highways;

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

1. That the lands designated as Parts 1 to 4 inclusive, Reference Plan 13R-21858, as part of the public highway known as McAdoo's Lane in the City of Kingston in accordance with Section 31, of the Municipal Act, Chapter 25, S.O. 2001, as amended.
2. This By-Law shall come into force and take effect on the date of its passing.

Given First and Second Readings \_\_\_\_\_, 2019

Given Third Reading and Passed \_\_\_\_\_, 2019

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**John Bolognone**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**

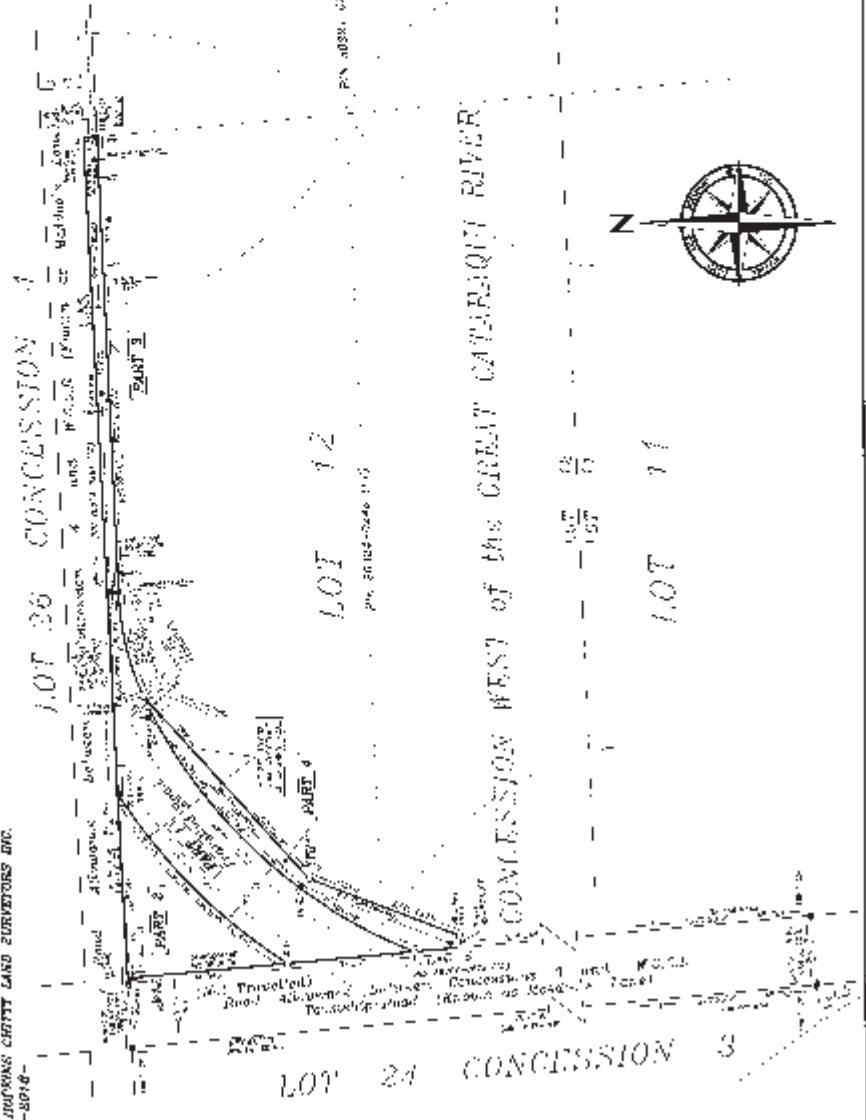
**PLAN of SURVEY of  
PART of LOT 12, CONCESSION  
WEST of the GREAT CARTARAQUI RIVER  
Geographic Township of Kingston  
CITY of KINGSTON  
COUNTY of FRONTENAC**

SCALE = 1:750  
JUDKINS CHITT LAND SURVEYORS INC.  
-8018-

SOURCE		SP. No.
PLAN	100	100
PLAN	100	100
PLAN	100	100

1. SHOWING THE PLAN TO BE PLAN 100-100-100  
2. SHOWING THE PLAN TO BE PLAN 100-100-100  
3. SHOWING THE PLAN TO BE PLAN 100-100-100

ALL DIMENSIONS ARE IN METERS  
ALL ANGLES ARE IN DEGREES  
ALL BEARINGS ARE IN DEGREES  
ALL DISTANCES ARE IN METERS  
ALL BEARINGS ARE IN DEGREES  
ALL DISTANCES ARE IN METERS



**LEGEND**  
 --- BOUNDARY OF LOT 12  
 --- BOUNDARY OF LOT 26  
 --- BOUNDARY OF LOT 24  
 --- BOUNDARY OF CONCESSION  
 --- BOUNDARY OF RIVER  
 --- BOUNDARY OF ROAD  
 --- BOUNDARY OF FENCE  
 --- BOUNDARY OF WALL  
 --- BOUNDARY OF CURB  
 --- BOUNDARY OF DRIVEWAY  
 --- BOUNDARY OF SIDEWALK  
 --- BOUNDARY OF PARKING LOT  
 --- BOUNDARY OF LOT 12  
 --- BOUNDARY OF LOT 26  
 --- BOUNDARY OF LOT 24  
 --- BOUNDARY OF CONCESSION  
 --- BOUNDARY OF RIVER  
 --- BOUNDARY OF ROAD  
 --- BOUNDARY OF FENCE  
 --- BOUNDARY OF WALL  
 --- BOUNDARY OF CURB  
 --- BOUNDARY OF DRIVEWAY  
 --- BOUNDARY OF SIDEWALK  
 --- BOUNDARY OF PARKING LOT

**SURVEYOR'S CERTIFICATE**  
 I, the undersigned, being a duly qualified and licensed Surveyor, do hereby certify that the above is a true and correct copy of the original plan as filed in my office, and that the same has been examined and found to conform to the provisions of the Act in that behalf made.

JUDKINS CHITT LAND SURVEYORS INC.  
 1000 GERRARD ST. E.  
 TORONTO, ONT. M4W 1G7  
 TEL: (416) 461-1111  
 FAX: (416) 461-1112



**By-Law Number 2019-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”, as amended (Zone Change from R1-3 to R1-74, R1-75 and EPA-17, Reddendale Neighbourhood)**

**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*, R.S.O. 1990, c. P.13, 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 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 Number 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. By changing the zone symbol of the subject lands from R1-3 to R1-74, R1-75 and EPA-17 on Map 5 of Schedule “A”, as shown on Schedule “A” attached to and forming part of By-Law Number 2019-\_\_\_\_.
  - 1.2. By adding a new subsection 7(3)(q) thereto as follows:

**“(q) EPA-17 (Reddendale Neighbourhood)**

Notwithstanding the provisions of Sections 4, 5 and 7 hereof to the contrary, on the lands designated ‘EPA-17’ on Schedule “A” hereto, the following regulations shall apply:

- (i) Definitions:

For the purpose of the EPA-17 Zone, the following definition shall apply:

“Normal High-Water Mark” means the highest water level that has been maintained for a sufficient duration (on an annual basis) as to leave physical evidence upon the landscape marking the boundary between that water level and upland areas. The boundary may be identified by:

1. an examination of the bed and bank of the waterbody, to determine where the presence and action of water has been so common and usual and long continued in all ordinary years to mark upon the bed or bank a character distinct from that of the abutting upland; and/or
2. a distinction between either open water or dominant aquatic/wetland vegetation, and dominant upland vegetation.

(ii) Permitted uses shall be limited to:

- A conservation use; and
- A park.

For any lot that: (1) was in existence as of July 15, 2009, (2) is in the EPA-17 Zone, and (3) is divided into more than one zone, the permitted uses shall also include the uses permitted by the other zone, subject to and in accordance with the provisions of such other zone, and the following additional provisions:

- (a) Setback from normal high-water mark of Lake Ontario (minimum): 30 metres
- (b) Decks, porches, patios, balconies, steps, verandas (covered and uncovered), swimming pools and structures associated with swimming pools, shall be set back a minimum of 30 metres from the normal high-water mark of Lake Ontario.
- (c) All accessory buildings and structures, other than a marine facility, shall be setback a minimum of 30 metres from the normal high-water mark of Lake Ontario.

(iii) More than one zone on a lot: Where a lot is divided into more than one zone, the zone boundary shall not be treated as a lot line and each portion of the lot must be used in accordance with the provisions of the applicable zone. In the case of a conflict, the more restrictive provision(s) shall apply.

- (iv) Transition Clauses: The following transition clauses apply to the EPA-17 Zone:
- (a) Nothing in this By-Law shall prevent the development or use of a building or structure for which a complete application for a building permit was received by the City on or before [insert date of passing], if the development or use complies, or the building permit application is amended to comply, with the applicable provisions of this By-Law as it read on [insert date that is the day before the by-law passed].
  - (b) Where a complete application for one or more minor variances was received by the City on or before [insert date of passing] for the development or use of a building or structure, approval may be granted, in the context of the applicable provisions of this By-Law as it read on [insert date that is the day before the by-law passed].
  - (c) Where the development or use of a building or structure qualifies under subsection (b) above, but a building permit application has not been received by the City, a building permit may be issued after final approval is received for all required applications, if the development or use complies, or the building permit application for the development or use is amended to comply, with the applicable provisions of this By-Law as it read on [insert date that is the day before the by-law passed].
  - (d) Nothing in this By-Law applies so as to continue the exemptions provided in subsections (a), (b) and (c) above beyond the issuance of the final approval or building permit upon which the exemptions are founded.”

1.3. By adding a new subsection 12(3)(br) thereto as follows:

“(br) **R1-74 (Reddendale Neighbourhood)**

Notwithstanding the provisions of Sections 4, 5 and 12 hereof to the contrary, on the lands designated ‘R1-74’ on Schedule ‘A’ hereto, the following provisions shall apply:

- (i) Definitions:

For the purpose of the R1-74 Zone, the following definitions shall apply:

- (a) “Established Grade” means the average elevation of the undisturbed ground, measured at the two points where the required front yard depth meets the side lot lines.
- (b) “Height”, when used with reference to a building or structure, means the vertical distance between the established grade and the highest point of the building or structure, exclusive of any accessory or auxiliary roof construction, such as an antenna, a chimney, a ventilation duct, an elevator or service penthouse, or a steeple.
- (c) “Lot Coverage” means the percentage of the lot area covered by buildings and structures, excluding the following:
  - 1. unenclosed steps and porches;
  - 2. patios;
  - 3. decks; and
  - 4. balconies, bay windows, canopies and overhanging eaves which are 2.0 metres or more in height above the established grade.
- (d) “Normal High-Water Mark” means the highest water level that has been maintained for a sufficient duration (on an annual basis) as to leave physical evidence upon the landscape marking the boundary between that water level and upland areas. The boundary may be identified by:
  - 1. an examination of the bed and bank of the waterbody, to determine where the presence and action of water has been so common and usual and long continued in all ordinary years to mark upon the bed or bank a character distinct from that of the abutting upland; and/or
  - 2. a distinction between either open water or dominant aquatic/wetland vegetation, and dominant upland vegetation.
- (ii) Lot Area (minimum): 557.4 square metres
- (iii) Lot Frontage (minimum): 16.76 metres
- (iv) Lot Coverage of a Dwelling House (maximum): 30% of the lot area

- (v) Setback from Normal High-Water Mark of Lake Ontario (minimum): 30 metres
- (vi) More than one zone on a lot: Where a lot is divided into more than one zone, the zone boundary shall not be treated as a lot line and each portion of the lot must be used in accordance with the provisions of the applicable zone. In the case of a conflict, the more restrictive provision(s) shall apply.
- (vii) All accessory buildings and structures shall be set back a minimum of 30 metres from the normal high-water mark of Lake Ontario.
- (viii) Decks, porches, patios, balconies, steps, verandas (covered and uncovered), swimming pools and structures associated with swimming pools, shall be set back a minimum of 30 metres from the normal high-water mark of Lake Ontario.
- (ix) Transition Clauses: The following transition clauses apply to the R1-74 Zone:
  - (a) Nothing in this By-Law shall prevent the development or use of a building or structure for which a complete application for a building permit was received by the City on or before [insert date of passing], if the development or use complies, or the building permit application is amended to comply, with the applicable provisions of this By-Law as it read on [insert date that is the day before the by-law passed].
  - (b) Where a complete application for one or more minor variances was received by the City on or before [insert date of passing] for the development or use of a building or structure, approval may be granted, in the context of the applicable provisions of this By-Law as it read on [insert date that is the day before the by-law passed].
  - (c) Where the development or use of a building or structure qualifies under subsection (b) above, but a building permit application has not been received by the City, a building permit may be issued after final approval is received for all required applications, if the development or use complies, or the building permit application for the development or use is amended to comply, with the applicable provisions of this By-Law as it read on [insert date that is the day before the by-law passed].
  - (d) Nothing in this By-Law applies so as to continue the exemptions provided in subsections (a), (b) and (c) above



beyond the issuance of the final approval or building permit upon which the exemptions are founded.”

1.4. By adding a new subsection 12(3)(bs) thereto as follows:

“(bs) **R1-75 (Reddendale Neighbourhood)**

Notwithstanding the provisions of Sections 4, 5 and 12 hereof to the contrary, on the lands designated ‘R1-75’ on Schedule “A” hereto, the following provisions shall apply:

(i) Definitions:

For the purpose of the R1-75 Zone, the following definitions shall apply:

- (a) “Established Grade” means the average elevation of the undisturbed ground, measured at the two points where the required front yard depth meets the side lot lines.
- (b) “Height”, when used with reference to a building or structure, means the vertical distance between the established grade and the highest point of the building or structure, exclusive of any accessory or auxiliary roof construction, such as an antenna, a chimney, a ventilation duct, an elevator or service penthouse, or a steeple.
- (c) “Lot Coverage” means the percentage of the lot area covered by buildings and structures, excluding the following:
  - 1. unenclosed steps and porches;
  - 2. patios;
  - 3. decks; and
  - 4. balconies, bay windows, canopies and overhanging eaves which are 2.0 metres or more in height above the established grade.
- (d) “Normal High-Water Mark” means the highest water level that has been maintained for a sufficient duration (on an annual basis) as to leave physical evidence upon the landscape marking the boundary between that water level and upland areas. The boundary may be identified by:

1. an examination of the bed and bank of the waterbody, to determine where the presence and action of water has been so common and usual and long continued in all ordinary years to mark upon the bed or bank a character distinct from that of the abutting upland; and/or
  2. a distinction between either open water or dominant aquatic/wetland vegetation, and dominant upland vegetation.
- (ii) Lot Area (minimum): 557.4 square metres
  - (iii) Lot Frontage (minimum): 16.76 metres
  - (iv) Lot Coverage of a Dwelling House (maximum): 30% of the lot area
  - (v) Setback from Normal High-Water Mark of Lake Ontario (minimum): 30 metres
  - (vi) More than one zone on a lot: Where a lot is divided into more than one zone, the zone boundary shall not be treated as a lot line and each portion of the lot must be used in accordance with the provisions of the applicable zone. In the case of a conflict, the more restrictive provision(s) shall apply.
  - (vii) All accessory buildings and structures, other than a marine facility, shall be setback a minimum of 30 metres from the normal high-water mark of Lake Ontario.
  - (viii) Decks, porches, patios, balconies, steps, verandas (covered and uncovered), swimming pools and structures associated with swimming pools, shall be set back a minimum of 30 metres from the normal high-water mark of Lake Ontario.
  - (ix) Transition Clauses: The following transition clauses apply to the R1-75 Zone:
    - (a) Nothing in this By-Law shall prevent the development or use of a building or structure for which a complete application for a building permit was received by the City on or before [insert date of passing], if the development or use complies, or the building permit application is amended to comply, with the applicable provisions of this By-Law as it read on [insert date that is the day before the by-law passed].
    - (b) Where a complete application for one or more minor variances was received by the City on or before [insert date

**of passing]** for the development or use of a building or structure, approval may be granted, in the context of the applicable provisions of this By-Law as it read on **[insert date that is the day before the by-law passed]**.

- (c) Where the development or use of a building or structure qualifies under subsection (b) above, but a building permit application has not been received by the City, a building permit may be issued after final approval is received for all required applications, if the development or use complies, or the building permit application for the development or use is amended to comply, with the applicable provisions of this By-Law as it read on **[insert date that is the day before the by-law passed]**.
- (d) Nothing in this By-Law applies so as to continue the exemptions provided in subsections (a), (b) and (c) above beyond the issuance of the final approval or building permit upon which the exemptions are founded.”

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]

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**John Bolognone**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**



Lake Ontario



Planning, Building & Licensing Services




a department of Community Services

## SCHEDULE 'A' TO BY-LAW NUMBER

File Number: D14-003-2019  
Address: Reddendale Neighbourhood

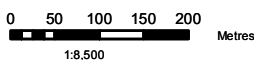
### Legend

#### Reference By-Law 76-26, Map 5

-  Rezoned from R1-3 to R1-74
-  Rezoned from R1-3 to R1-75
-  Rezoned from R1-3 to EPA-17

#### Certificate of Authentication

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



**By-Law Number 2019-XXX**

**A By-Law to Amend The City of Kingston Official Plan (Amendment Number 66)**

**Passed:** [Meeting Date]

**Whereas** a Public Meeting was held regarding this amendment on July 4, 2019;

**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 City of Kingston Official Plan is hereby amended as follows, which shall constitute Amendment Number 66 to the City of Kingston Official Plan:
  - (a) **Amend** the sub-heading of Section 4.6.59 to read: “Front Yard Parking in Residential Areas”.
  - (b) **Amend** Section 4.6.59 to read:

**“4.6.59.** Front yard parking in residential areas has the potential to affect the visual amenity of the streetscape and the residential character of a neighbourhood. It is the intention of this Plan to preserve the character of existing neighbourhoods and maintain the designed character of new neighbourhoods.

The following policies apply to front yard parking for low, medium and high density residential *development*:

    - a. New and existing low density residential *development* with at-grade access, such as single-detached dwellings, semi-detached dwellings, and linked and row houses, will not have front yard parking except for parking in a permitted driveway as per the provisions of the zoning by-law; and,
    - b. New medium or high density *development* with grade-separated access, such as apartment buildings, mixed use buildings or walk-up apartment buildings, are not permitted to have front yard parking unless it is buffered from the streetscape by distance, landscaping, berming, screening, fencing or similar features. For existing multi-unit residential buildings that were developed in accordance with past regulations and do not comply with the current parking requirements,

consideration may be given to allowing limited front yard parking spaces, subject to Section 4.6.60.”

- (c) **Amend** the sub-heading of Section 4.6.60 to read: “Criteria for Front Yard Parking for Residential Development”.
  - (d) **Amend** Section 4.6.60 by deleting the first paragraph, subsections a., b., and c. and the sentence above the bullets beginning with “The review of requests...” and replacing them with the following: “Requests to establish front yard parking spaces for residential *development* beyond that permitted by the zoning by-law must address the following criteria:”.
  - (e) **Amend** Section 4.6.60 by adding a new bullet after the fifth bullet to read:
    - “there will be no injury to or destruction of trees located within the road allowance;”.
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(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, this 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: [Meeting date]

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**John Bolognone**  
City Clerk

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**Bryan Paterson**  
Mayor

**By-Law Number 2019-XX**

**A By-Law to Amend By-Law Number 8499, “Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston” (Residential Parking and Driveways)**

**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 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 Number 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 adding a new definition for “Driveway” in Section 4: Definitions, as follows:

“**4.23C Driveway** means a defined area providing motor vehicle access between a street or a lane and a parking area, parking lot, parking space, loading space, private garage, building or structure, but does not include a parking aisle.”

1.2. By amending sub-section 5.3 B. (b) ii. regarding Off-Street Vehicle Parking Facilities for Zones A and A4 by deleting the words “from yard space” and replacing them with the words “front yard space”.

1.3. By deleting sub-section 5.3 B. (cc) under Section 5.3 Off-Street Vehicle Parking Facilities and replacing it with the following:

“(cc) For Zones A, A1, A2, A3, A4, A5, A6 and A7, up to 40 square metres of the rear yard or interior side yard may be used as uncovered surface parking spaces for residential uses.”

1.4. By deleting subsection 5.3 B. (j) and replacing it with the following:

**“(j) Recreational Vehicles, Watercraft, Trailers, etc.:**

**(a) Vehicles Permitted:**

In any Residential Zone, no person shall use or develop any lot, building or structure, or part thereof, for the purpose of parking or storing a boat, personal watercraft, all-terrain vehicle, motor home, travel trailer, tent trailer, camper, snowmobile or other recreational vehicle, or a utility trailer, except for:

- (i) one (1) boat which shall not exceed 8.2 metres in length;
- (ii) one (1) motor home which shall not exceed 8.2 metres in length;
- (iii) not more than two (2) personal watercraft, all-terrain vehicles, snowmobiles or other recreational vehicles, or any combination thereof;
- (iv) one (1) travel trailer, tent trailer or camper, which shall not exceed 8.2 metres in length, exclusive of hitch or tongue; and
- (v) one (1) utility trailer, which shall not exceed 8.2 metres in length, exclusive of hitch or tongue.

**(b) Where Permitted:**

In any Residential Zone, the parking or storage of a boat, personal watercraft, all-terrain vehicle, motor home, travel trailer, tent trailer, camper, snowmobile or other recreational vehicle, or a utility trailer shall only be permitted in a private garage or other building, or in an interior side yard or rear yard, but it shall not be parked or stored closer than 1.0 metre from any lot line, in any required parking space, or in a sight triangle.

**(c) Temporary Storage or Parking:**

- (i) In a Residential Zone, the temporary parking or storage of a boat; a motor home or a travel trailer, but not both; a personal watercraft, an all-terrain vehicle or other recreational vehicle; or a utility trailer shall be permitted



between April 1 and October 31 of each year in a permitted driveway in a front yard or in an exterior side yard, provided that the lot is not used for multiple family dwelling or group dwelling purposes, but it shall not be parked or stored closer than 1.0 metre from any lot line, in any required parking space, or in a sight triangle.

- (ii) In a Residential Zone, the temporary parking or storage of a snowmobile shall be permitted between November 1 and March 31 of the following year in a permitted driveway in a front yard or in an exterior side yard, provided that the lot is not used for multiple family dwelling or group dwelling purposes, but it shall not be parked or stored closer than 1.0 metre from any lot line, in any required parking space, or in a sight triangle.”

1.5. By adding a new subsection Section 5.3 B. (k) as follows:

**“(k) Driveway Width:**

- (i) In a Residential Zone, the minimum width of a driveway shall be 3.0 metres.
- (ii) In a Residential Zone, the maximum width of a driveway within the required front yard shall be the lesser of:
  - (a) 6 metres, or
  - (b) 40% of the lot width, provided that the minimum width of the driveway shall not be less than 3.0 metres.

For the purposes of calculating the maximum width of a driveway, the lot width shall mean the horizontal distance between the side lot lines, with such distance measured perpendicularly to the mid-point of the lot depth. For a corner lot, the lot width shall mean the horizontal distance between the longer lot line abutting a street and the side lot line opposite to it, with such distance measured perpendicularly to the mid-point of the lot depth.

- (iii) In a Residential Zone, the maximum width of a driveway beyond the required front yard shall not exceed 6 metres, except where there is a garage, the maximum width of a driveway beyond the required front yard shall not exceed 6 metres or the width of the garage walls, whichever is greater.

- (iv) The width of a driveway shall be measured perpendicular to the direction in which a motor vehicle drives.”

1.6. By adding a new subsection 5.3 B. (l) as follows:

**“(l) Parking in a Driveway:**

- (i) Notwithstanding the provisions of Sections 5.3 B. (b), 5.3 B. (c), 5.3 B. (d) and 5.3 B. (e), in a Residential Zone, where the use on the lot is a one-family dwelling, two-family dwelling, row dwelling, semi-detached dwelling or linked dwelling, a parking space may be located in a permitted driveway in a front yard.
- (ii) In a Residential Zone, where the use on the lot is a one-family dwelling, two-family dwelling, row dwelling, semi-detached dwelling or linked dwelling, a driveway or a parking space in a driveway within the required front yard shall not be permitted parallel to the street line.”

1.7. By adding a new subsection 5.3 B. (m) as follows:

**“(m) Tandem Parking Spaces:**

Notwithstanding any provisions to the contrary, in a Residential Zone, where parking spaces are provided for a one-family dwelling, two-family dwelling, row dwelling, semi-detached dwelling or linked dwelling in an individual driveway, carport and/or private garage, tandem parking spaces shall be permitted.”

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]

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**John Bolognone**  
City Clerk

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**Bryan Paterson**  
Mayor

**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” (Residential Parking and Driveways)**

**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. By adding a new sub-section 5.22.4.6 as follows:

“5.22.4.6 DRIVEWAY WIDTHS FOR CERTAIN RESIDENTIAL USES

- (a) Where the use of a lot is a single-detached dwelling, link dwelling, on-street townhouse, semi-detached dwelling, duplex dwelling or a converted dwelling, the minimum width of a driveway shall be 3.0 metres.
- (b) Where the use of a lot is a single-detached dwelling, link dwelling, on-street townhouse, semi-detached dwelling, duplex dwelling or a converted dwelling, the maximum width of a driveway within the required front yard shall be the lesser of:

- (i) 6 metres, or
- (ii) 40% of the lot width, provided that the minimum width of the driveway shall not be less than 3.0 metres.

For the purposes of calculating the maximum width of a driveway on a lot, the lot width shall mean the horizontal distance between the side lot lines, with such distance measured perpendicularly to the mid-point of the lot depth.

- (c) Where the use of a lot is a single-detached dwelling, link dwelling, on-street townhouse, semi-detached dwelling, duplex dwelling or a converted dwelling, the maximum width of a driveway, the maximum width of a driveway beyond the required front yard shall not exceed 6 metres, except where there is a garage, the maximum width of a driveway beyond the required front yard shall not exceed 6 metres or the width of the garage walls, whichever is greater.
- (c) The width of a driveway shall be measured perpendicular to the direction in which a motor vehicle drives.”

1.2. By adding a new sub-section 5.22.4.7 as follows:

“5.22.4.7 PARKING IN A DRIVEWAY FOR CERTAIN RESIDENTIAL USES

- (a) Where the use of a lot is a single-detached dwelling, link dwelling, on-street townhouse, semi-detached dwelling, duplex dwelling or a converted dwelling, a parking space may be located in a permitted driveway in a front yard.

- (b) Where the use of a lot is a single-detached dwelling, link dwelling, on-street townhouse, semi-detached dwelling, duplex dwelling or a converted dwelling, a driveway or a parking space in a driveway within the required front yard shall not be permitted parallel to the street line.”

1.3. By adding a new sub-section 5.22.4.8 as follows:

“5.22.4.8 TANDEM PARKING SPACES

Where the use of a lot is a single-detached dwelling, link dwelling, on-street townhouse, semi-detached dwelling, duplex dwelling or a converted dwelling, tandem parking spaces shall be permitted.”

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]

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**John Bolognone**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**

**By-Law Number 2019-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” (Residential Parking and Driveways)**

**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 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 Number 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. By adding a new definition for “Driveway” in Section 4 Definitions as follows:

“(40A) “Driveway” means a defined area providing motor vehicle access between a street or a lane and a parking area, parking lot, parking space, loading space, private garage, building or structure, but shall not include a parking aisle.”

1.2. By amending the row regarding “Development and Residential except an Apartment Dwelling House and Group Housing” in the table in sub-section 5(16)(c) Yards Where Permitted, to read as follows:

“Development and Residential except an Apartment Dwelling House and Group Housing	Up to 40 square metres of parking in the rear yard or interior side yard only, provided that where the use on the lot is
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	<p>a single family dwelling house, semi-detached dwelling house, duplex dwelling house, converted dwelling house or row dwelling house, a parking space may be located in a permitted driveway in a front yard.”</p>
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1.3. By adding new clauses (vii), (viii), (ix), (x) and (xi) under sub-section 5(16)(d) Access as follows:

“(vii) In a Residential Zone, the minimum width of a driveway shall be 3.0 metres.

(viii) In a Residential Zone, the maximum width of a driveway within the required front yard depth shall be the lesser of:

(a) 6 metres, or

(b) 40% of the lot width, provided that the minimum width of the driveway shall not be less than 3.0 metres.

For the purposes of calculating the maximum width of a driveway, the lot width shall mean the horizontal distance between the side lot lines, with such distance measured perpendicularly to the mid-point of the lot depth.

(ix) In a Residential Zone, the maximum width of a driveway beyond the required front yard depth shall not exceed 6 metres, except where there is a garage, the maximum width of a driveway beyond the required front yard shall not exceed 6 metres or the width of the garage walls, whichever is greater.

(x) The width of a driveway shall be measured perpendicular to the direction in which a motor vehicle drives.

(xi) In a Residential Zone, where the use on the lot is a single family dwelling house, semi-detached dwelling house, duplex dwelling house, converted dwelling house or row dwelling house, a driveway or a parking space in a driveway within the required front yard depth shall not be permitted parallel to the street line.”

- 1.4. By deleting subsection 5(23) Storage of Special Vehicles in its entirety and replacing it with the following:

**“(23) Recreational Vehicles, Watercraft, Trailers, etc.:**

**(a) Vehicles Permitted:**

In any Residential Zone, no person shall use or develop any lot, building or structure, or part thereof, for the purpose of parking or storing a boat, personal watercraft, all-terrain vehicle, motor home, travel trailer, tent trailer, camper, snowmobile or other recreational vehicle, or a utility trailer, except for:

- (i) one (1) boat which shall not exceed 8.2 metres in length;
- (ii) one (1) motor home which shall not exceed 8.2 metres in length;
- (iii) not more than two (2) personal watercraft, all-terrain vehicles, snowmobiles or other recreational vehicles, or any combination thereof;
- (iv) one (1) travel trailer, tent trailer or camper, which shall not exceed 8.2 metres in length, exclusive of hitch or tongue; and
- (v) one (1) utility trailer, which shall not exceed 8.2 metres in length, exclusive of hitch or tongue.

**(b) Where Permitted:**

In any Residential Zone, the parking or storage of a boat, personal watercraft, all-terrain vehicle, motor home, travel trailer, tent trailer, camper, snowmobile or other recreational vehicle, or a utility trailer shall only be permitted in a private garage or other building, an interior side yard or rear yard, but



**Bryan Paterson**  
**Mayor**

shall not be closer than 1.0 metre from any lot line, and shall not be in any required parking space or in a sight triangle .

(c) **Temporary Storage or Parking:**

- (i) In a Residential Zone, the temporary parking or storage of a boat; a motor home or a travel trailer, but not both; a personal watercraft, an all-terrain vehicle, or other recreational vehicle; or a utility trailer shall be permitted between April 1 and October 31 of each year in a permitted driveway in a front yard or in an exterior side yard, provided that the lot is not used for apartment dwelling house purposes, but it shall not be parked or stored closer than 1.0 metre from any lot line, in any required parking space, or in a sight triangle.
- (ii) In a Residential Zone, the temporary parking or storage of a snowmobile shall be permitted between November 1 and March 31 of the following year in a permitted driveway in a front yard or in an exterior side yard, provided that the lot is not used for apartment dwelling house purposes, but it shall not be parked or stored closer than 1.0 metre from any lot line, in any required parking space, or in a sight triangle.”

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]

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**John Bolognone**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**

**By-Law Number 2019-XX**

**A By-Law to Amend By-Law Number 97-102, “The Cataraqui North Zoning By-Law” (Residential Parking and Driveways)**

**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 97-102, 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 Number 97-102 of The Corporation of the City of Kingston, entitled “The Cataraqui North Zoning By-Law”, as amended, is hereby further amended as follows:
  - 1.1. By deleting the second paragraph under sub-section 5.17 Parking Standards and replacing it with the following:

“In a Residential Zone up to 40 square metres of the *rear yard* or *interior side yard* may be used as uncovered *parking spaces*, provided that where the use on the *lot* is a *single detached dwelling*, *semi-detached dwelling*, *duplex dwelling* or *townhouse dwelling*, a *parking space* may be located in a permitted *driveway* in a portion of the *front yard*.”
  - 1.2. By deleting sub-section 5.22 Storage Of Special Vehicles in its entirety and replacing it with the following:

**“5.22 Recreational Vehicles, Watercraft, Trailers etc.:**

    - (a) **Vehicles Permitted**

In any Residential Zone, no person shall use or develop any *lot*, *building* or *structure*, or part thereof, for the purpose of

parking or storing a boat, personal watercraft, all-terrain vehicle, motor home, *travel trailer*, tent trailer, camper, snowmobile or other recreational vehicle, or a *utility trailer*, except for:

- (i) one (1) boat which shall not exceed 8.2 metres in length;
- (ii) one (1) motor home which shall not exceed 8.2 metres in length;
- (iii) not more than two (2) personal watercraft, all-terrain vehicles, snowmobiles or other recreational vehicles, or any combination thereof;
- (iv) one (1) *travel trailer*, tent trailer or camper, which shall not exceed 8.2 metres in length, exclusive of hitch or tongue; and
- (v) one (1) *utility trailer*, which shall not exceed 8.2 metres in length, exclusive of hitch or tongue.

**(b) Where Permitted**

In any LDR, LDR1, LDR/I or LDR/NC Zone, the parking or storage of a boat, personal watercraft, all-terrain vehicle, motor home, *travel trailer*, tent trailer, camper, snowmobile or other recreational vehicle, or a *utility trailer* shall only be permitted in a *private garage* or other *building*, an *interior side yard* or *rear yard*, but shall not be closer than 1.0 metre from any *lot line*, and shall not be in any required *parking space* or in a sight triangle.

**(c) Temporary Storage or Parking**

- (i) In any LDR, LDR1, LDR/I or LDR/NC Zone, the temporary parking or storage of a boat; a motor home or a *travel trailer*, but not both; a personal watercraft, an

all-terrain vehicle or other recreational vehicle; or a *utility trailer* shall be permitted between April 1 and October 31 of each year in a permitted *driveway* in a *front yard* or in an *exterior side yard*, provided that the *lot* is not used for *multiple dwelling*, retirement home or *apartment dwelling purposes*, but it shall not be parked or stored closer than 1.0 metre from any *lot line*, in any required *parking space* or in a sight triangle.

- (ii) In any LDR, LDR1, LDR/I or LDR/NC Zone, the temporary parking or storage of a snowmobile shall be permitted between November 1 and March 31 of the following year in a permitted *driveway* in a *front yard* or in an *exterior side yard*, provided that the *lot* is not used for *multiple dwelling*, retirement home or *apartment dwelling purposes*, but it shall not be parked or stored closer than 1.0 metre from any *lot line*, in any required *parking space* or in a sight triangle.

(d) **MDR Zone**

The parking or storing of a boat, personal watercraft, all-terrain vehicle, motor home, *travel trailer*, tent trailer, camper, snowmobile or other recreational vehicle, or a *utility trailer*, is not permitted in any *yard* in the MDR 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]

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**John Bolognone**  
City Clerk

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**Bryan Paterson**  
Mayor

**By-Law Number 2019-XX**

**A By-Law to Amend By-Law Number 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” (Residential Parking and Driveways)**

**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 32-74, as amended, of the former Township of Pittsburgh;

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

1. By-Law Number 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:
  - 1.1. By adding a new definition for “Driveway” in Section 4 Definitions as follows:
 

“(33b) “Driveway” means a defined area providing motor vehicles access between a street or a lane and facilities such as a parking area, parking lot, parking space, loading space, private garage, building or structure, but shall not include a parking aisle.”
  - 1.2. By amending the first row regarding “Residential, Development” in the table in sub-section 5(14)(d) Yards Where Permitted, to read as follows.
 

“Residential – Apartment Dwelling House use	“Rear yard and interior side yard only.”
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  - 1.3. By moving the last row regarding “Development or Residential except for an Apartment Dwelling House use” in the table in sub-section 5(14)(d) Yards

Where Permitted, to row number two, directly below the row regarding “Residential – Apartment Dwelling House use”, and amending it to read as follows:

“Development or Residential except for an Apartment Dwelling House use

Up to 40 square metres of parking in the rear yard or interior side yard only, provided that where the use on the lot is a single-family dwelling house, semi-detached dwelling house, duplex dwelling house, converted dwelling house, linked dwelling house or row dwelling house, a parking space may be located in a permitted driveway in a front yard.”

1.4 By deleting sub-section 5(14)(e)(i) and replacing it with the following:

“Access for non-residential use to the required parking spaces and parking areas shall be provided by means of unobstructed driveways or passageways at least 3.5 metres, but not more than 9 metres in width.

Access for residential uses shall be provided by means of an unobstructed driveway provided the width of such driveway within the required front yard depth is the lesser of: (a) 6 metres, or (b) 40% of the lot width, provided that the minimum width of the driveway shall not be less than 3.0 metres. For the purposes of calculating the maximum width of a driveway, the lot width shall mean the horizontal distance between the side lot lines, with such distance measured perpendicularly to the mid-point of the lot depth. For residential uses, the maximum width of a driveway beyond the required front yard shall not exceed 6 metres, except where there is a garage, the maximum width of a driveway beyond the required front yard shall not exceed 6 metres or the width of the garage walls, whichever is greater.”

1.6. By adding new clauses (ix), (x) and (xi) in subsection 5(14)(e) Access as follows:

“(ix) In a Residential Zone, the minimum width of a driveway shall be 3.0 metres.

- (x) The width of a driveway shall be measured perpendicular to the direction in which a motor vehicle drives.
- (xi) In a Residential Zone, where the use on the lot is a single-family dwelling house, semi-detached dwelling house, duplex dwelling house, converted dwelling house, linked dwelling house or row dwelling house, a driveway or a parking space in a driveway within the required front yard depth shall not be permitted parallel to the street line.”

1.7. By adding a new subsection 5(14)(j) as follows:

“(j) **Tandem Parking Spaces:**

Notwithstanding any provisions to the contrary, in a Residential Zone, where parking spaces are provided for a single-family dwelling house, semi-detached dwelling house, duplex dwelling house, converted dwelling house, linked dwelling house or row dwelling house in an individual driveway, carport and/or private garage, tandem parking spaces shall be permitted.”

1.8. By deleting subsection 5(21) Storage Of Special Vehicles in its entirety and replacing it with the following:

“(21) **Recreational Vehicles, Watercraft, Trailers, etc.:**

(a) **Vehicles Permitted**

In any Residential Zone, no person shall use or develop any lot, building or structure, or part thereof, for the purpose of parking or storing a boat, personal watercraft, all-terrain vehicle, motor home, travel trailer, tent trailer, camper, snowmobile or other recreational vehicle, or a utility trailer, except for:

- (i) one (1) boat which shall not exceed 8.2 metres in length;

- (ii) one(1) motor home which shall not exceed 8.2 metres in length;
- (iii) not more than two (2) personal watercraft, all-terrain vehicles, snowmobiles or other recreational vehicles, or any combination thereof;
- (iv) one (1) travel trailer, tent trailer or camper, which shall not exceed 8.2 metres in length, exclusive of hitch or tongue; and
- (v) one (1) utility trailer, which shall not exceed 8.2 metres in length, exclusive of hitch or tongue.

(b) **Where Permitted**

In any Residential Zone, the parking or storage of a boat, personal watercraft, all-terrain vehicle, motor home, travel trailer, tent trailer, camper, snowmobile or other recreational vehicle, or a utility trailer shall only be permitted in a private garage or other building, or in an interior side yard or rear yard, but it shall not be parked closer than 1.0 metre from any lot line, in any required parking space, or in a sight triangle.

(c) **Temporary Storage or Parking**

- (i) In a Residential Zone, the temporary parking or storage of a boat; a motor home or a travel trailer, but not both; a personal watercraft, an all-terrain vehicle or other recreational vehicle; or a utility trailer shall be permitted between April 1 and October 31 of each year in a permitted driveway in a front yard or in an exterior side, provided that the lot is not used for apartment dwelling house purposes, but it shall not be parked or stored closer than 1.0 metre from any lot line, in any required parking space, or in a sight triangle.



- (ii) In a Residential Zone, the temporary parking or storage of a snowmobile shall be permitted between November 1 and March 31 of the following year in a permitted driveway in a front yard or in an exterior side yard, provided that the lot is not used for apartment dwelling house purposes, but it shall not be parked or stored closer than 1.0 metre from any lot line, in any required parking space, or in a sight triangle.”
- 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]

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**John Bolognone**  
City Clerk

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**Bryan Paterson**  
Mayor

**By-Law Number 2019-XX**

**A By-Law to Amend By-Law Number 8402 “A By-Law to Amend By-Law Number 3078, Zoning By-Law for the 1930, 1931 and 1952 Annexation Areas” (Residential Parking and Driveways)**

**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 8402, 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 8402 of The Corporation of the City of Kingston, entitled “A By-Law to Amend By-Law Number 3078, Zoning By-Law for the 1930, 1931 and 1952 Annexation Areas”, as amended, is hereby further amended as follows:
  - 1.1 Section (1)(c) is amended by adding the following sentence at the end thereof:
 

“Parking of recreational vehicles, watercraft and trailers, parking space location and configuration, and driveway widths within the R2 Residential Zone shall be subject to and in accordance with the provisions of Sections 5.3 B.(j), 5.3 B.(k), 5.3 B.(l) and 5.3 B.(m) of By-Law Number 8499, “Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston.”
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]

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**John Bolognone**  
City Clerk

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**Bryan Paterson**  
Mayor

**By-Law Number 2019-XX**

**A By-Law to Amend By-Law Number 3077 “A Restricted Area (Zoning) By-Law for the City of Kingston” (Residential Parking and Driveways)**

**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 3077, 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 3077 of The Corporation of the City of Kingston, entitled “A Restricted Area (Zoning) By-Law for the City of Kingston”, as amended, is hereby further amended as follows:
  - 1.1. By amending Section 4A.21(2) Supplementary Provisions by adding the words, “, except in a permitted driveway” after the words “front yard”.
  - 1.2. By adding a new Section 9.4.11 as follows:

“9.4.11 Parking of recreational vehicles, watercraft and trailers, parking space location and configuration, and driveway widths for properties that have individual driveways on Maitland Avenue within Zone “A” shall be subject to the provisions of Sections 5.3 B.(j), 5.3 B.(k), 5.3 B.(l) and 5.3 B.(m) of By-Law Number 8499, “Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston.”
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]

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**John Bolognone**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**