

By-Law Number 2021-XXX

**A By-Law to Amend the City of Kingston Official Plan (Amendment Number 79,
235 Frontenac Street)**

Passed: [Meeting Date]

Whereas a Public Meeting was held regarding this amendment on November 4, 2021;

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 by the following map change which shall constitute Amendment Number 79 to the Official Plan for the City of Kingston:
 - (a) **Amend** Schedule ‘3-A’, ‘Land Use’, of the City of Kingston Official Plan, so as to redesignate the property located at 235 Frontenac Street, as shown on Schedule ‘A’ to By-Law Number 2021-____, from ‘Residential’ to ‘Institutional’.
3. 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, Subsection 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the conclusion of which, this By-Law shall be deemed to have come into force and take effect on the day the appeals are withdrawn or dismissed, as the case may be.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]

John Bolognone
City Clerk

Bryan Paterson
Mayor




Planning Services

Schedule 'A' to By-Law Number ____

Address: 235 Frontenac Street
File Number: D35-006-2021

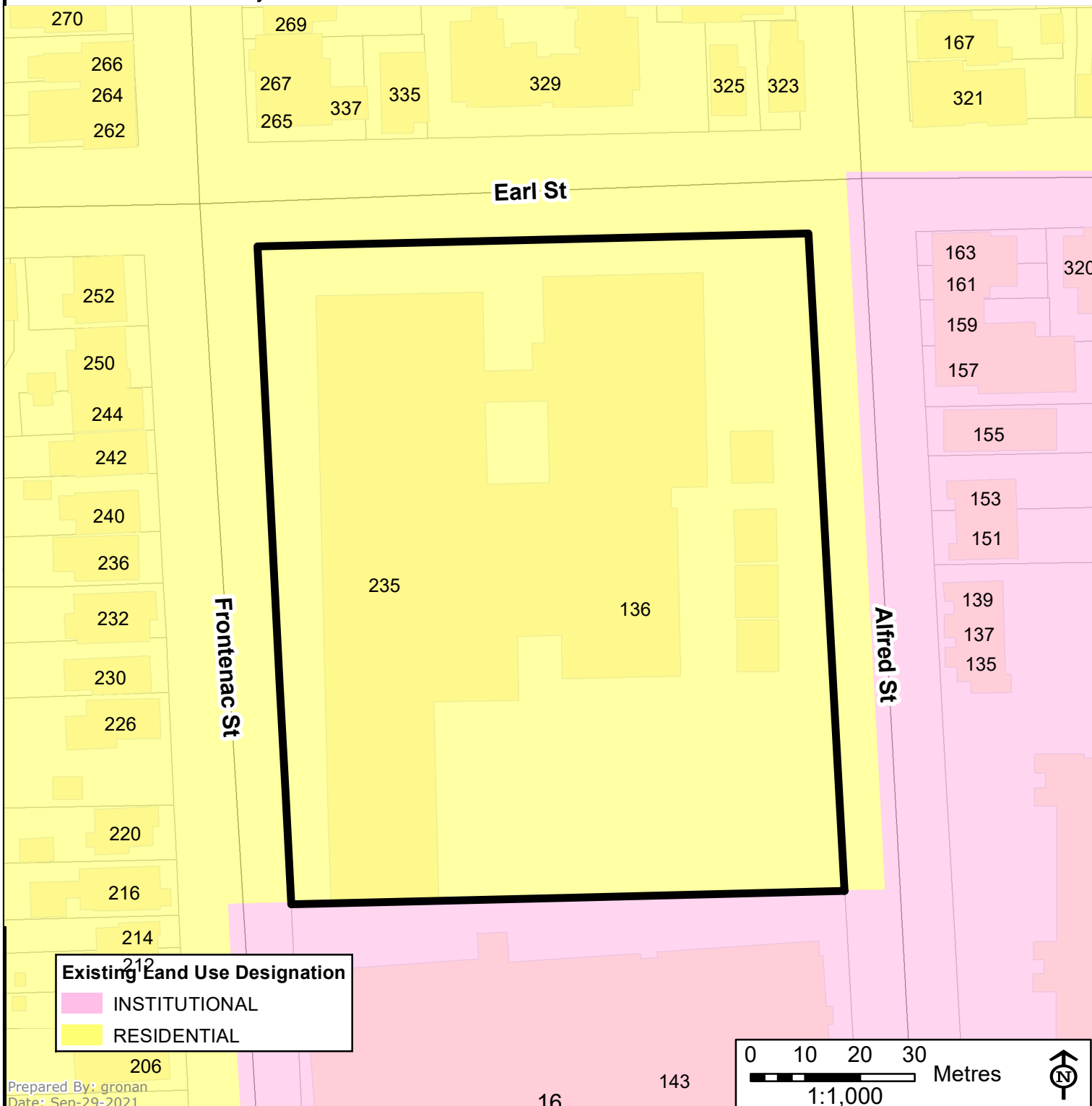
Official Plan - Schedule 3-A Land Use



 Subject Lands to be Redesignated from Residential to Institutional

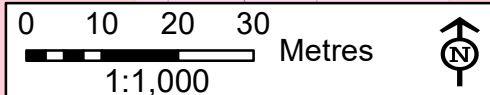
Certificate of Authentication

This is Schedule 'A' to By-Law Number ____, passed this ____ day of _____ 2021.

Mayor Clerk



Existing Land Use Designation
 INSTITUTIONAL
 RESIDENTIAL



By-Law Number 2021-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’ Zone to ‘E.615-H’ Zone, 235 Frontenac 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 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. Map 30 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘A’ to ‘E.615-H’, as shown on Schedule “A” attached to and forming part of By-Law Number 2021-___.
 - 1.2. By adding the following Section 615 in Part VIII – Exceptions to the Various Zone Classifications, as follows:

“(615) 235 Frontenac Street

Notwithstanding the provisions of Section 17 hereof to the contrary, on the lands designated ‘E.615-H’ on Schedule ‘A’ hereto, the following regulations shall apply:

- (a) Any building or structure which existed at the date of the passing of By-Law Number 2021-___ that does not meet the provisions of this By-Law is considered a legal non-complying building or structure. Nothing in this By-Law applies to prevent a legal non-complying building or structure so long as it continues to exist, and nothing in this By-law

applies to prevent the further development of this lot, provided the development:

- i. Does not further increase the extent or degree of non-compliance with the provisions of this By-Law; and
- ii. Complies with all other applicable provisions of this By-law.

(b) Nothing in this By-law applies to prevent the development of an accessory structure on the lot, provided the development:

- i. Does not further increase the extent or degree of non-compliance with the provisions of this By-Law; and
- ii. Complies with all other applicable provisions of this By-Law.

(c) Purpose and Requirement for Removal of ‘-H’ Holding Symbol:

- i. The ‘-H’ Holding Symbol shall apply to the introduction of any dwelling units or habitation units.
- ii. A by-law shall not be enacted to remove the ‘-H’ Holding Symbol until such time as:
 - a. The City is satisfied that there is adequate servicing capacity for the proposed development;
 - b. A site plan has been approved and a site plan agreement has been executed and registered on the title of the lands; and
 - c. City Council has given notice pursuant to the requirements of the *Planning Act* of its intention to pass a by-law to remove the ‘-H’ Holding Symbol.”

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



**Schedule 'A'
to By-Law Number**
Address: 235 Frontenac St
File Number: D35-006-2021

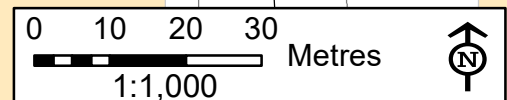
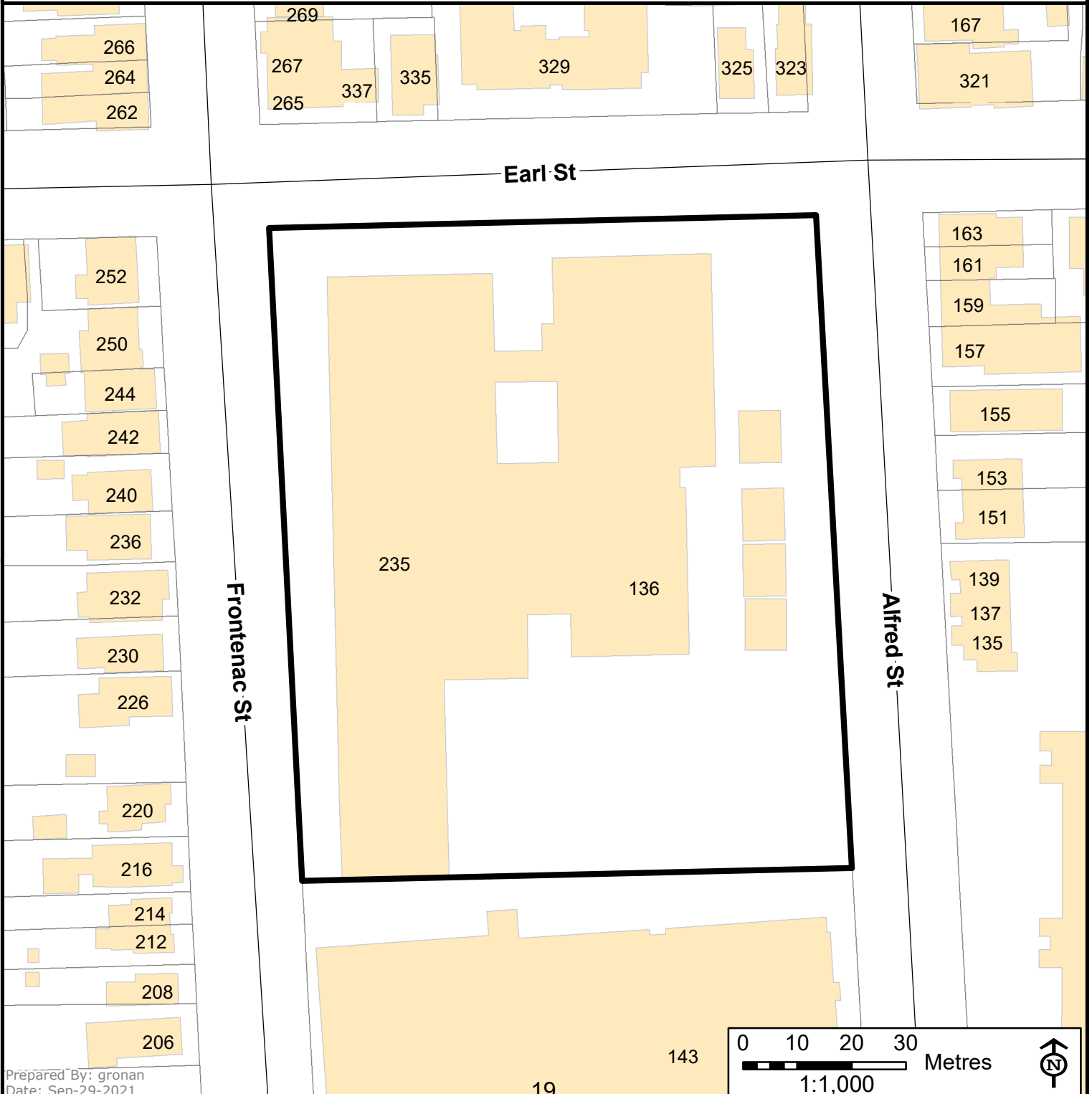
Reference By-Law 8499, Map 30

Subject lands to be Rezoned from 'A' to 'E.XX-H'

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____, passed this _____ day of _____ 2021.

Mayor Clerk



Prepared By: gronan
Date: Sep-29-2021

By-Law Number 2021-XXX

A By-Law to Amend By-Law Number 8499, “Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston” (Site-Specific Zone Change from ‘A5’ to ‘A5.616’, 303 and 305 Sutherland Drive)

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. Map 4 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘A5’ to ‘A5.616’, as shown on Schedule “A” attached to and forming part of By-Law Number 2021-____.
 - 1.2. By adding a new Section 616 to Part VIII (Exceptions to the Various Zone Classifications), as follows:

“616. 303 and 305 Sutherland Drive

Notwithstanding the provisions of Section 5 and 11 hereof to the contrary, on the approximately 929 square metre parcel of land known municipally as 303 and 305 Sutherland Drive and zoned ‘A5.616’ on Schedule “A” hereto, the following regulations shall apply:

- i. Permitted Uses and bedrooms:
 - a. In addition to the uses permitted in Section 11.2, the property may also be used for a semi-detached dwelling; and
 - b. a maximum of 7 bedrooms is permitted per lot
- ii. Minimum Lot Area for a Semi-detached Dwelling: 232 square metres per dwelling unit
- iii. Minimum Lot Width for a Semi-detached Dwelling: 7.6 metres per dwelling unit
- iv. Minimum Interior Side Yard: 1.2 metres for a side that is not attached to another dwelling and 0 m for a side that is attached to another dwelling
- v. Minimum Aggregate Side Yard Width: 1.2 metres
- vi. Parking Design Standards:

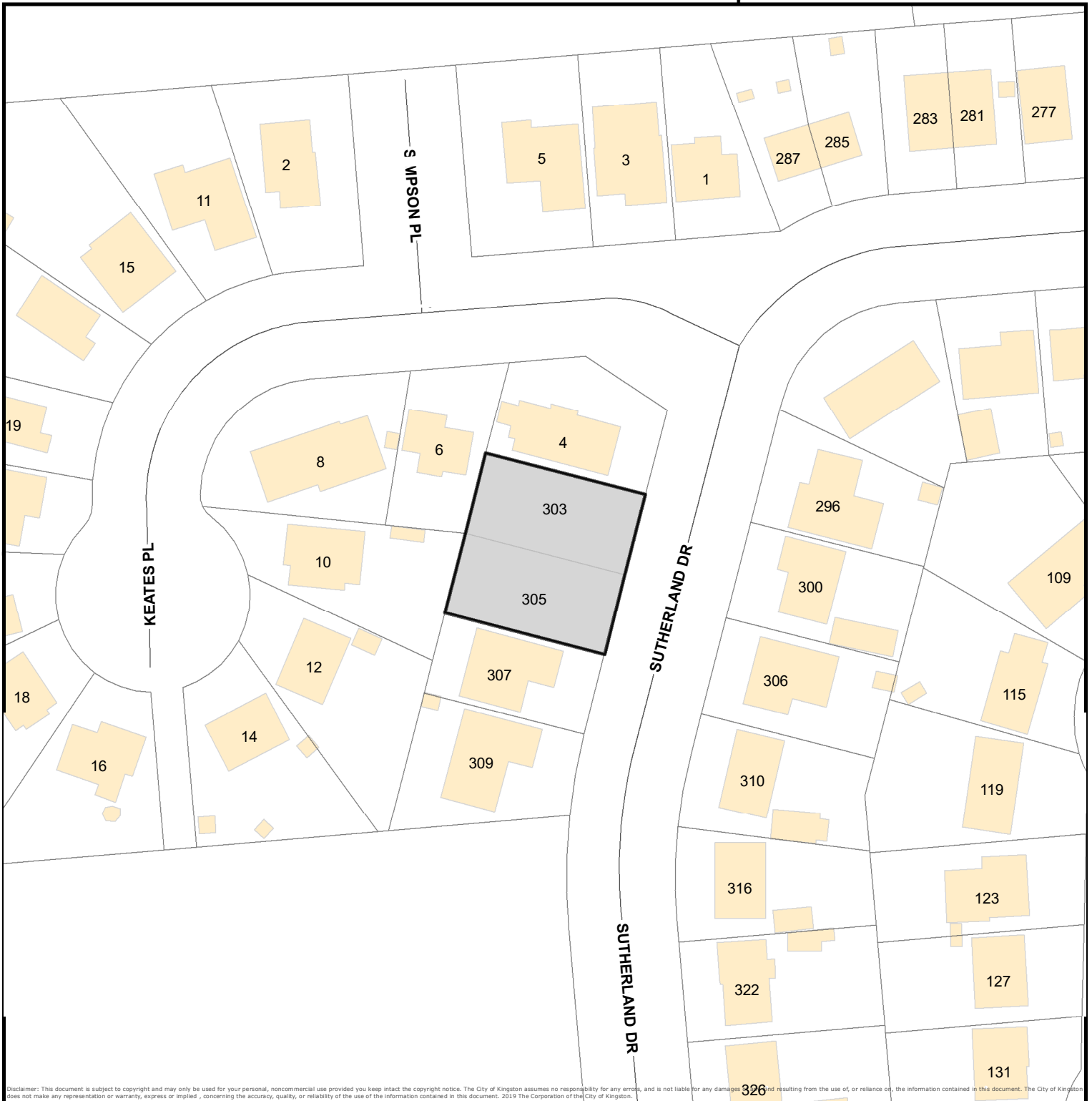
The minimum size of a parking space shall be 2.7 metres wide and 5.7 metres long”

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



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

File Number: D14-021-2020
Address: 303 Sutherland Drive & 305
Sutherland Drive

Legend

Reference By-Law 8499, Map 4

Rezoned from A5 to A5.616

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____,
passed this _____ day of _____ 2020.



By-Law Number 2021-XXX

**A By-Law to Amend The City Of Kingston Official Plan (Amendment Number 80,
1533 McAdoo's Lane)**

Passed: [Meeting Date]

Whereas a Public Meeting was held regarding this amendment on December 17, 2020;

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 by the following map change which shall constitute Amendment Number 80 to the Official Plan for the City of Kingston:
 - (a) **Amend** Schedule '3-B', Land Use, of the City of Kingston Official Plan, so as to re-designate the property located at 1533 McAdoo's Lane, as shown on Schedule 'A' to By-Law Number 2021-____, from 'Rural Commercial' to 'Waste Management Industrial'.
3. 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, Subsection 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, the 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]

John Bolognone
City Clerk

Bryan Paterson
Mayor




Planning Services

Schedule 'A' to By-Law Number Official Plan Amendment Number 80

Address: 1533 McAdoo's Lane
File Number: D35-005-2020

Official Plan, Schedule 3-B Land Use

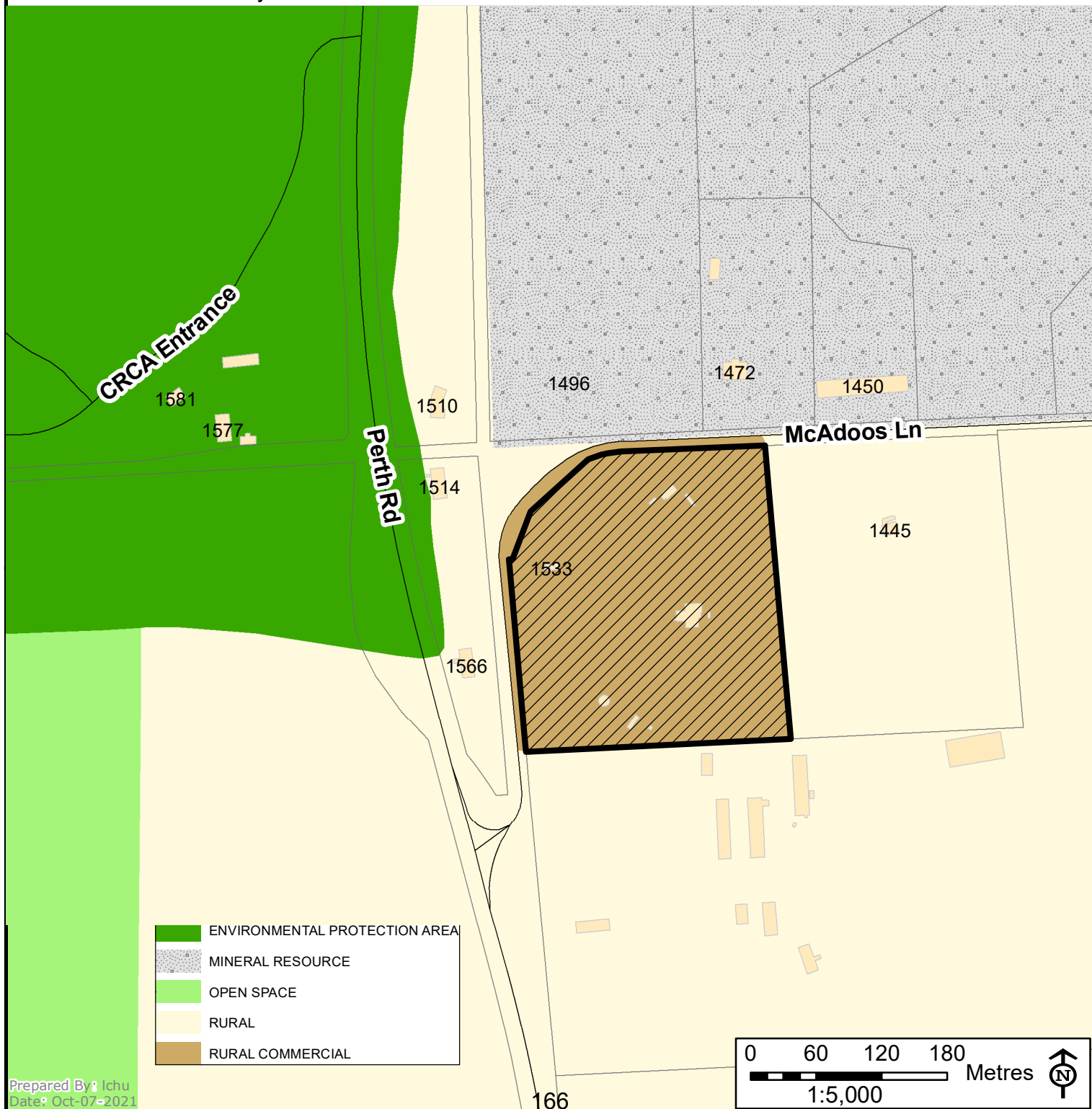
 Redesignate Lands from 'Rural Commercial' to 'Waste Management Industrial'






Certificate of Authentication

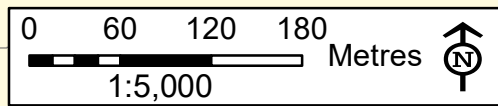
This is Schedule 'A' to By-Law Number _____, passed this _____ day of _____ 2021.

Mayor

Clerk



-  ENVIRONMENTAL PROTECTION AREA
-  MINERAL RESOURCE
-  OPEN SPACE
-  RURAL
-  RURAL COMMERCIAL



Prepared By: Ichu
Date: Oct-07-2021

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By-Law Number 2021-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 “OS-12-H” Zone to “M4-7-H” Zone, 1533 McAdoo’s Lane)

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. Map 1 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from “OS-12-H” to “M4-7-H”, as shown on Schedule “A” attached to and forming part of By-Law Number 2021-____.
 - 1.2. By adding a new subsection 27(3)(g) thereto as follows:

“(g) **1533 McAdoo’s Lane**

Notwithstanding the provisions of Section 5 and 27 hereof to the contrary, on the lands designated ‘M4-7-H’ on Schedule ‘A’ hereto, the following regulations shall apply:

- (a) The permitted uses shall be limited to:

- i. An automobile wrecking yard; and
 - ii. A salvage yard.
- (b) Accessory Uses:
- i. Vehicle sales establishment, limited to the sale of used vehicles; and
 - ii. Retail sales related to the servicing of motor vehicles.
- (c) Accessory retail sales shall be limited to a maximum of 16% of the gross floor area of the main building.
- (d) The permitted salvage yard use shall be limited to the collection, dismantling, sorting and storage of scrap metals. Processing of scrap metals, including shredding, is prohibited.
- (e) For the purposes of zoning interpretation, the front, exterior, interior and rear lot lines shall be as shown on Schedule 'B' attached to and forming part of By-Law Number 2021-XX.
- (f) Minimum Setbacks for Buildings shall be as shown on Schedule 'C' attached to and forming part of By-Law Number 2021-XX.
- (g) Minimum Setbacks for all other Permitted Uses, including the storage of articles or things wholly or partly in the open:
- i. Front Lot Line: 20 metres
 - ii. Exterior Side Lot Line: 14 metres
 - iii. Interior Side Lot Line: 3 metres
 - iv. Rear Lot Line: 5 metres
- (h) Permitted Projections: A building overhang shall be permitted within a required interior side yard, provided it is not located closer than 12 metres to an interior side lot line.
- (i) Notwithstanding subsection (h) above, no car crusher shall be located closer than 229 metres to the exterior side lot line.
- (j) The maximum height of any storage of articles or things wholly or partly in the open shall be 2.5 metres.
- (k) Structures associated with the placing of automobiles on the site shall be permitted within an area used for storage of articles or things wholly or partly in the open, up to a maximum height of 0.6 metres.
- (l) An opaque wooden fence that is at least 2.4 metres in height is required along the entire exterior side lot line, in addition to the berm described in subsection (m) below.
- (m) A berm that is at least 1.0 metre in height is required along the exterior side lot line wherever the grade of the site at the exterior side lot line is

less than 1.0 metre higher than the grade of the abutting street centre line.

- (n) Planting strips are required in the front yard, exterior side yard and rear yard, and shall be used for no purpose other than the planting of trees, hedges, shrubs, flower beds, grass or a combination thereof. The planting strips shall comply with the provisions of subsection (o) below and will be further regulated through Site Plan Control.
- (o) Required Planting Strip Width (minimum):
 - i. Front yard: 3.0 metres
 - ii. Exterior side yard: 8.5 metres
 - iii. Rear yard: 5.0 metres
- (p) Required Loading Spaces (minimum): 1 space
- (q) Required Vehicle Parking Spaces (minimum): 63 spaces
- (r) A maximum of 11 required vehicle parking spaces may be used for the display of used vehicles for sale.
- (s) Parking shall be permitted in any yard, but shall not be located closer than 3 metres to the front lot line.
- (t) A by-law shall not be enacted to remove the '-H' Holding Symbol until such time as:
 - i. A site plan has been approved and a site plan agreement has been executed and registered on the title of the lands;
 - ii. A Hydrogeological Report outlining the methods of servicing the site with sufficient private water capacity and sewage disposal systems has been approved by the applicable approval authority;
 - iii. The City has received a copy from the Ministry of Environment, Conservation, and Parks, or its successor, of all required Ministry approvals for the permitted uses, as determined by the Ministry;
 - iv. City Council has given notice pursuant to the requirements of the *Planning Act* of its intention to pass a by-law to remove the '-H' Holding Symbol."

- 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 Services

Schedule 'A' to By-Law Number

Address: 1533 McAdoo's Lane
File Number: D35-005-2020

Reference By-Law 76-26, Map 1

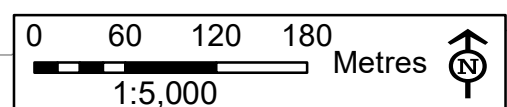
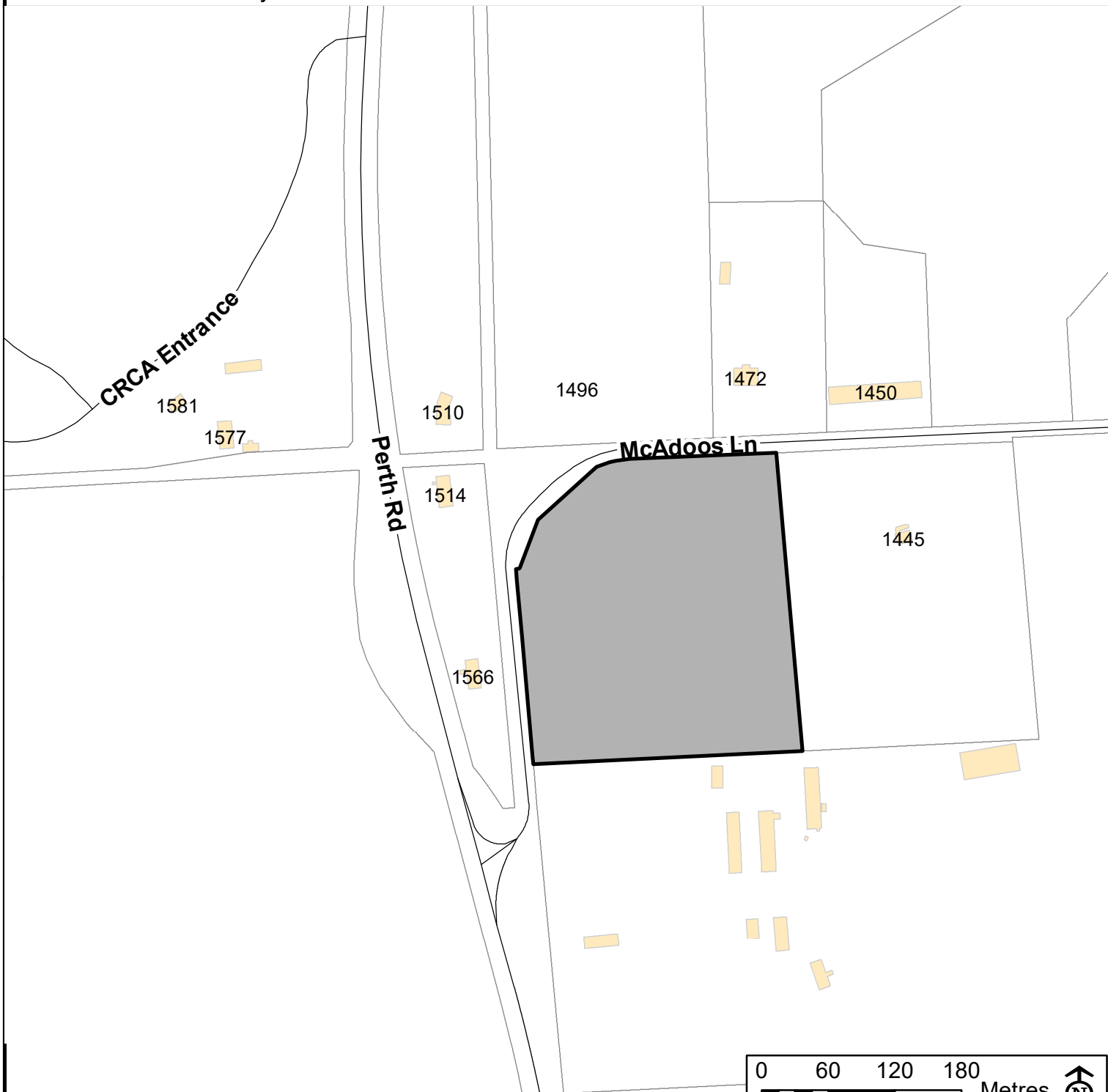
Rezone from 'OS-12-H' to 'M4-7-H'

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____, passed this _____ day of _____ 2021.

Mayor

Clerk





Planning Services

Schedule 'B' to By-Law Number

Address: 1533 McAdoo's Lane
File Number: D35-005-2020

Reference By-Law 76-26, Map 1

-  Subject Lands
-  FRONT LOT LINE
-  EXTERIOR SIDE YARD
-  INTERIOR SIDE YARD
-  REAR YARD

Certificate of Authentication

This is Schedule 'B' to By-Law Number _____, passed this _____ day of _____ 2021.

Mayor

Clerk

1496

1472



McADOO'S LANE

McAdoos Ln

1533

1566

McADOO'S LANE





Schedule 'C'
to By-Law Number
Address: 1533 McAdoos Lane
File Number: D35-005-2020

Reference By-Law 76-26, Map 1

Certificate of Authentication

This is Schedule 'C' to By-Law Number _____, passed this _____ day of _____ 2021.

Mayor

Clerk

