

By-Law Number 2024-XX

A By-Law to Exempt Certain Lands on Plan A-12 and Plan B-18 from the Provisions of Subsection 50(5) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, Municipally Known as 505 and 513 Albert Street and 575 Princess Street

Passed: [Meeting Date]

Whereas subsection 50(5) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the "*Planning 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 *Planning Act*, the council of a local municipality may by by-law provide that subsection 50(5) of the *Planning Act* does not apply to land within a registered plan or plans of subdivision or parts thereof; and

Whereas the property owner has requested an exemption from the provisions of subsection 50(5) of the *Planning Act* with respect to Parts of Plan A-12 and Plan B-18 for the purpose of creating two (2) separately conveyable parcels of land and establishing easements for driveway access, servicing and parking;

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

1. Subsection 50(5) of the *Planning Act* does not apply to the lands within the registered plans of subdivision designated as follows:
 - i. firstly, part of Lot 571 on Plan A-12 (being part of Part 1 on Plan 13R10410), and Lots 572 and 573 on Plan A-12 as shown outlined on Schedule "A" to this By-Law ("**Parcel A**"); and
 - ii. secondly, Lots 574, 575 and 576 on Plan A-12, Lots 1, 2, 3, 4, 5 and the Lane on Plan B-18, and Part of Lot 6 on Plan B-18 as shown outlined on Schedule "A" to this By-Law ("**Parcel B**");

for the purpose of Parcel A and Parcel B being two (2) separately conveyable parcels of land;

2. Subsection 50(5) of the *Planning Act* does not apply to the lands within the registered plan of subdivision designated as follows:

Part of Lot 573 on Plan A-12 (being Parts 1, 2, 3, 4, 5, 6, 7 and 8 on Plan 13R22368);

for the purpose of establishing easements for driveway access, servicing and parking, as shown cross-hatched on Schedule "A" to this By-Law;

3. In the event, any portion(s) of Parcel A and/or Parcel B are expropriated and/or conveyed, from time to time, to any municipality, public authority, other governmental body or authority, school board, utility, or conservation authority then

Subsection 50(5) of the *Planning Act* shall be deemed not to apply to the remainder of the affected parcel(s) and for clarity, the remainder of Parcel A and Parcel B, as applicable, shall be two (2) separately conveyable parcels of land; and

4. This By-Law shall come into force and take effect on the date of its passing.

Given all Three Readings and Passed: April 16, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor



Schedule 'A' to By-Law Number

Address: 505 and 513 Albert St and
575 Princess St.
File Number: D27-001-2024

Kingston Zoning By-Law 2022-62

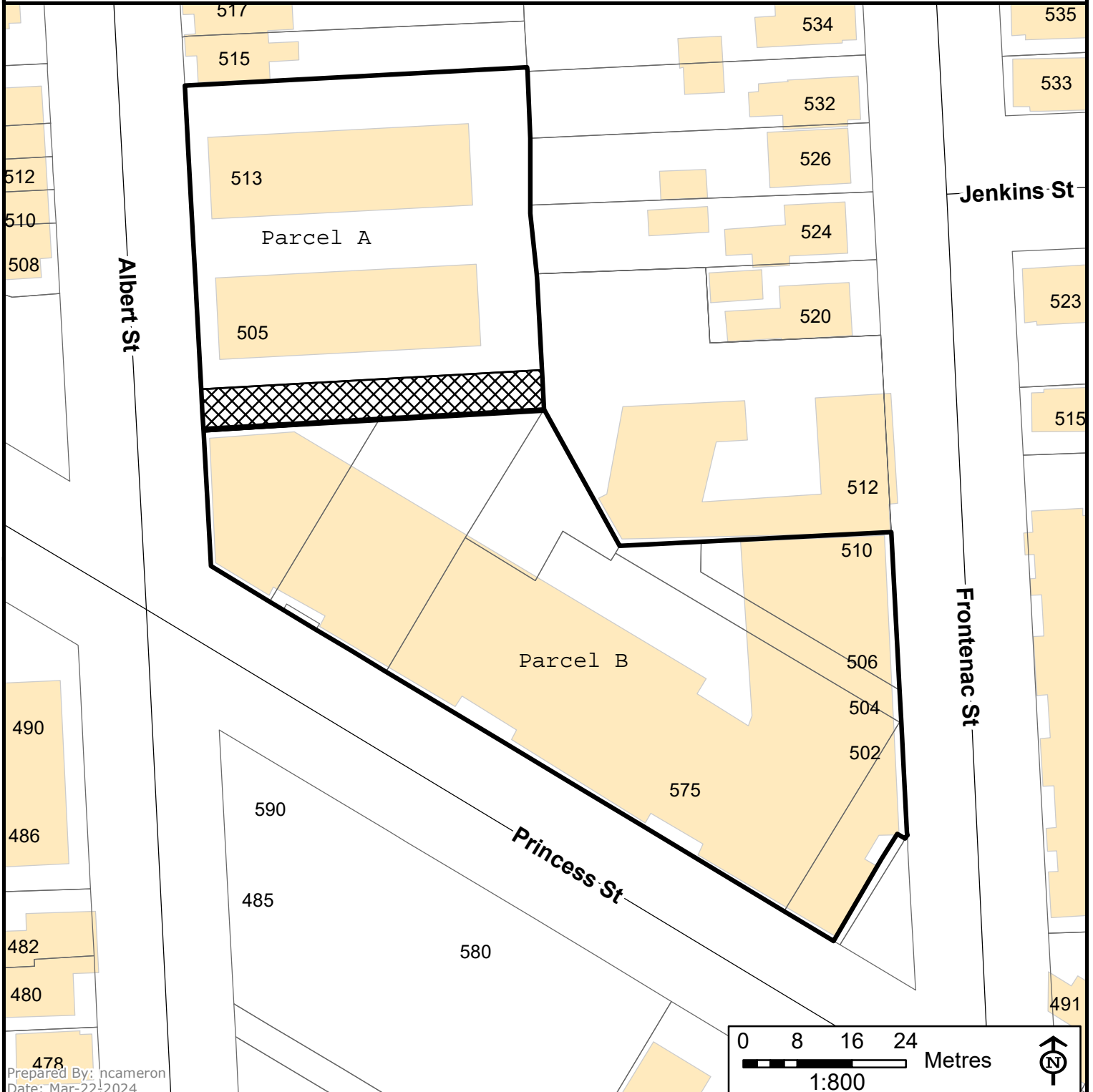
Easement

Lands Subject to Part Lot Lift

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____, passed this _____ day of _____ 2024.

Mayor Clerk



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Prepared By: ncameron
Date: Mar-22-2024

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