

By-Law Number 2021-163

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" (Zone Change from "A1" to "M4-6-H", 1174 McAdoo's Lane)

Passed: September 21, 2021

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 "A1" to "M4-6-H", as shown on Schedule "A" attached to and forming part of By-Law Number 2021-163.
 - 1.2. By adding a new subsection 27(3)(f) thereto as follows:

"(f) M4-6-H (1174 McAdoo's Lane)

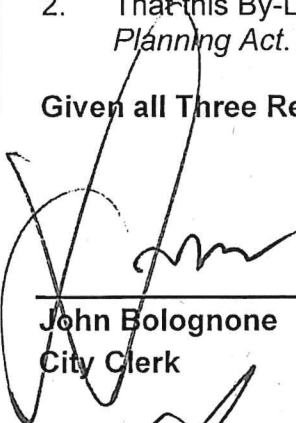
Notwithstanding the provisions of Section 27 hereof to the contrary, on the lands designated 'M4-6-H' on Schedule 'A' hereto, the following regulations shall apply:

- (i) Only permitted uses:
 - (a) construction waste processing, such as asphalt and concrete recycling; processing and separating of aggregates and soils from construction sites;

- (b) stockpiling of construction waste for processing and reuse;
 - (c) storage of empty construction bins;
 - (d) topsoil recycling;
 - (e) open storage of construction materials, equipment or vehicles;
 - (f) a public use in accordance with the provisions of Section 5(18) hereof; and
 - (g) a telecommunications tower.
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- (ii) Minimum rear yard: 0 metres
 - (iii) Minimum front yard: 0 metres
 - (iv) Minimum west side yard: 6 metres, except where the lands abut another industrial zone or lands used for industrial purposes, in which case there is no required minimum west side yard.
 - (v) Minimum east side yard: 6 metres
 - (vi) All areas identified as FODa woodland in the report entitled "Natural Heritage Environmental Impact Assessment", prepared by Ecological Services and dated June 29, 2020 must be protected by a berm or concrete barrier that is:
 - (a) located at least 5 metres from the drip line of the FODa woodland; and,
 - (b) Minimum height: 0.8 metres
 - (vii) Notwithstanding Section 6(6) of this By-Law, the "H" Holding Symbol applies to prevent the erection of any building or structure requiring water or sanitary services.
 - (viii) Removal of the "H" Holding Symbol for the use described in subsection 6(6)(vii) above shall be contingent upon the owner submitting a functional servicing report prepared by a qualified professional engineer that confirms the capacity to accommodate the proposed development and is completed to the satisfaction of the municipality and in accordance with all municipal and provincial regulations."

2. That this By-Law shall come into force in accordance with the provisions of the *Planning Act*.

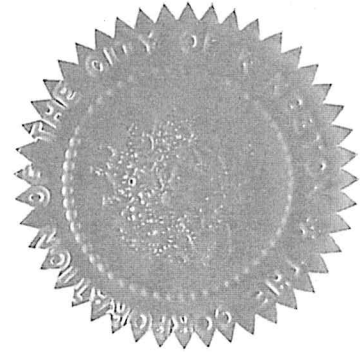
Given all Three Readings and Passed: September 21, 2021

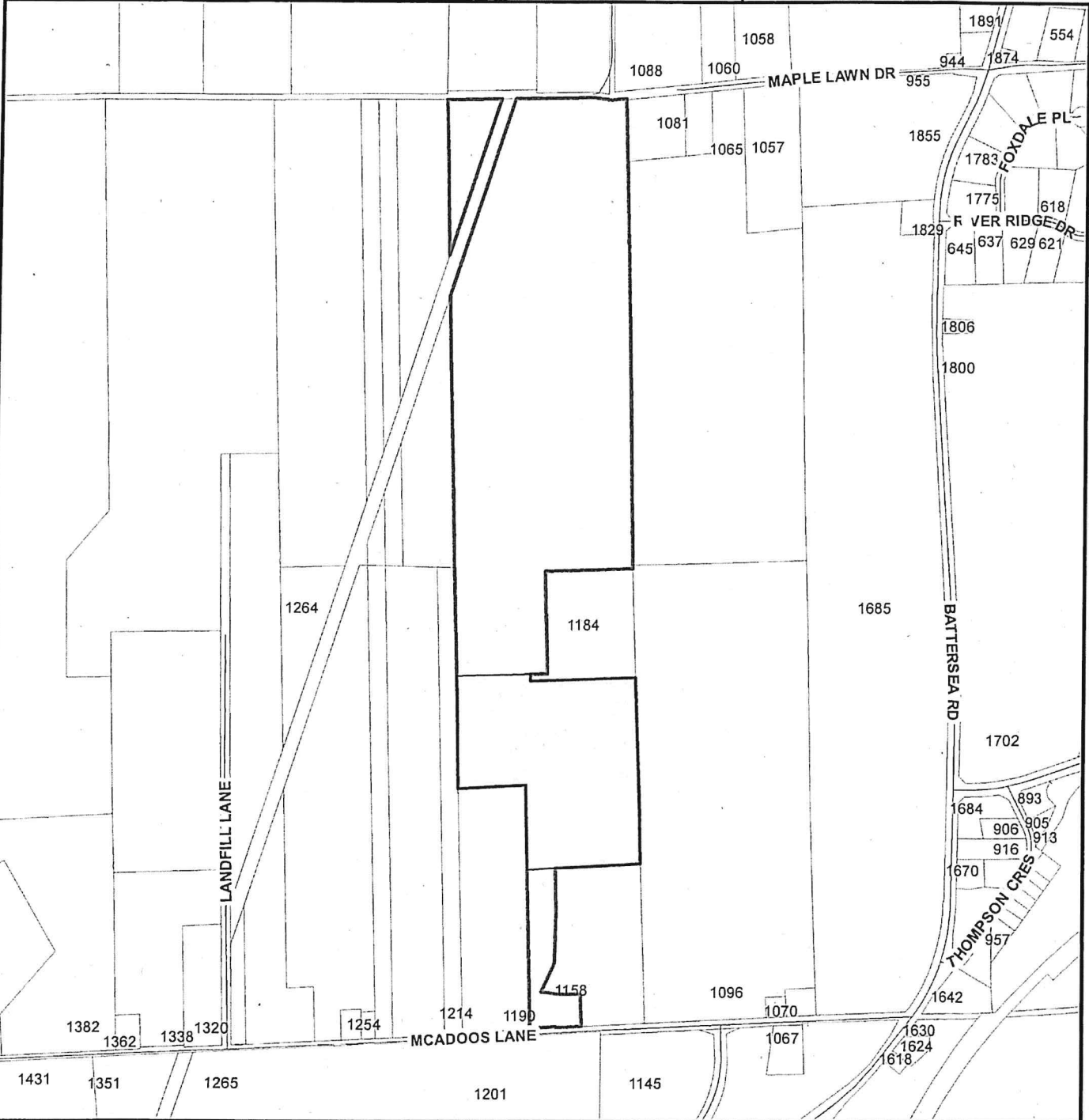


John Bolognone
City Clerk



Bryan Paterson
Mayor





**SCHEDULE 'A'
 TO BY-LAW NUMBER 2021-163**

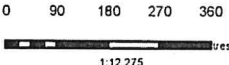
File Number: D14-011-2019
 Address: 1174 McAdoo's Lane

Legend

Reference By-Law 76-26, Map 1
 Rezoned from A1 to M4-6-H

Certificate of Authentication

This is Schedule 'A' to By-Law Number 2021-163,
 passed this 21st day of September 2021.



[Signature]
 Mayor

[Signature]
 City Clerk