

By-Law Number 2025-XX

A By-Law to Exempt Certain Lands on Registered Plan 13M-141 from the Provisions of Subsection 50(5) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended (Lots 32, 35, 38, 39, 42, and 43 on Registered Plan 13M-141, municipally known as 1067, 1073, 1079, 1081, 1087 and 1089 Barrow Avenue, for the purpose of establishing easements for utility, maintenance, and rear yard access).

Passed: April 1, 2025

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 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 Lots 32, 35, 38, 39, 42, and 43 on Registered Plan 13M-141 for the purpose of establishing easements for utility, maintenance and rear yard access.

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* shall not apply to Lots 32, 35, 38, 39, 42, and 43 on Registered Plan 13M-141 for the sole purpose of establishing easements for utility, maintenance and rear yard access, on the condition that no person shall convey a part of any such Block or Lot by way of a deed, or transfer, or grant, assign or exercise a power of appointment in respect of a part of any such Block or Lot, or mortgage or charge a part of any such Block or Lot, or enter into an agreement of sale and purchase of a part of any such Block or Lot, or enter into any agreement that has the effect of granting the use of or right in a part of any such Block or Lot directly or by entitlement to renewal for a period of twenty-one years or more unless the description of the lands that includes such part in the conveyance, transfer, grant, assignment or exercise of power of appointment is the same as one of the approved descriptions set out on Schedule "A" to this by-law and which forms a part hereof;
2. This By-Law shall come into force and take effect on the date of its passing; and

3. Pursuant to subsection 50(7.3) of the *Planning Act*, this By-Law shall expire on April 1, 2027.

Given all Three Readings and Passed: *April 1, 2025*

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule "A"

To By-Law Number 2025-0XX

Approved Descriptions

1. Part 1 of Plan 13R-23331, Being Part of Lot 32 on Registered Plan 13M-141, City of Kingston, County of Frontenac
2. Part 2 of Plan 13R-23331, Being Part of Lot 35 on Registered Plan 13M-141, City of Kingston, County of Frontenac
3. Part 3 of Plan 13R-23331, Being Part of Lot 38 on Registered Plan 13M-141, City of Kingston, County of Frontenac
4. Part 4 of Plan 13R-23331, Being Part of Lot 38 on Registered Plan 13M-141, City of Kingston, County of Frontenac
5. Part 5 of Plan 13R-23331, Being Part of Lot 39 on Registered Plan 13M-141, City of Kingston, County of Frontenac
6. Part 6 of Plan 13R-23331, Being Part of Lot 39 on Registered Plan 13M-141, City of Kingston, County of Frontenac
7. Part 7 of Plan 13R-23331, Being Part of Lot 42 on Registered Plan 13M-141, City of Kingston, County of Frontenac
8. Part 8 of Plan 13R-23331, Being Part of Lot 42 on Registered Plan 13M-141, City of Kingston, County of Frontenac
9. Part 9 of Plan 13R-23331, Being Part of Lot 43 on Registered Plan 13M-141, City of Kingston, County of Frontenac
10. Part 10 of Plan 13R-23331, Being Part of Lot 43 on Registered Plan 13M-141, City of Kingston, County of Frontenac



Schedule 'A' to By-Law Number

Address: 1067-1091 Barrow Ave.
File Number: D27-008-2024

Kingston Zoning By-Law 22-62

Lands Subject to Part Lot Lift

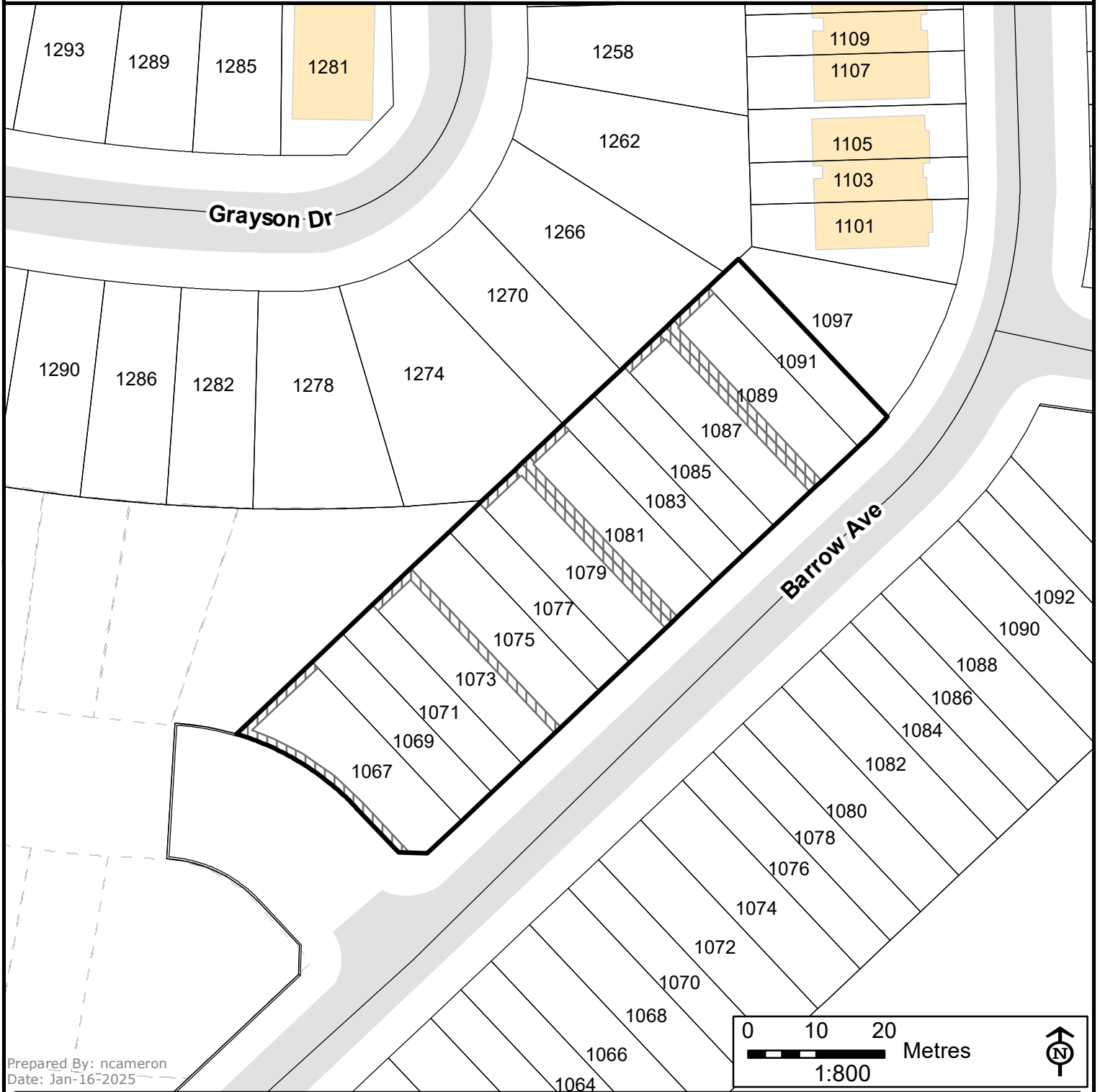
Easement

Certificate of Authentication

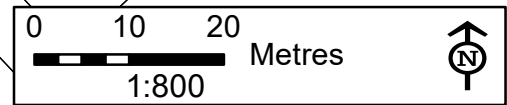
This is Schedule 'A' to By-Law Number _____, passed this _____ day of _____ 202_.

Mayor

Clerk



Prepared By: ncameron
Date: Jan-16-2025



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