

KINGSTON TOWNSHIP ZONING BY-LAW NO. 76-26

February 2006

SECTION 10

GENERAL AGRICULTURAL ZONE (A2)

(1) **USES PERMITTED**

No person shall within any A2 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following A2 uses, namely:

(a) **RESIDENTIAL USES:**

an accessory dwelling house;
a converted dwelling house;
a single-family dwelling house.

(b) **NON-RESIDENTIAL USES:**

a cemetery;
a church;
a conservation use;
a crematorium;
a farm, including a specialized farm;
a forestry use;
a fraternal lodge;
a home occupation;
a kennel;
a livestock sales barn;
a public use in accordance with the provisions of Section 5(18) hereof;
a riding stable;
a seasonal fruit, vegetable, flower or farm produce sales outlet, provided such produce is the product of the farm on which such sales outlet is located.

(2) **ZONE PROVISIONS**

No person shall within any A2 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

(a) **LOT AREA (minima):**

(i)	Converted dwelling house	
(a)	Lot served by a public water system and a sanitary sewer system	-7,500 square feet
(b)	Lot served by only a public water system or a sanitary sewer system	-20,000 square feet
(c)	Other lots	-30,000 square feet
(ii)	Specialized Farm	-25 acres (By-law no. 2001-144 - 2001)
(iii)	Other uses	-5 acres (By-law no. 2001-144 - 2001)

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(2) cont'd:

- (b) **LOT FRONTAGE (minima):**
 - (i) Converted dwelling house
 - (a) Lot served by a public water system and a sanitary sewer system -60 feet
 - (b) Lot served by only a public water system or a sanitary sewer system -75 feet
 - (c) Other lots -150 feet
 - (ii) Other uses -330 feet

- (c) **FRONT YARD DEPTH (minima):**
 - (i) Converted dwelling house -20 feet
 - (ii) Other uses -25 feet

- (d) **EXTERIOR SIDE YARD WIDTH (minima):**
 - (i) Converted dwelling house -20 feet
 - (ii) Other uses -25 feet

- (e) **INTERIOR SIDE YARD WIDTH (minima):**
 - (i) Converted dwelling house on one side, 6 feet on other side. -10 feet
 - (ii) Single-family dwelling house (79-49) -9 metres (30 feet)
 - (iii) Other Uses -12 metres (40 feet)

- (f) **REAR YARD DEPTH (minimum):** -25 feet

- (g) **LANDSCAPED OPEN SPACE (minimum):**
 - (i) Converted dwelling house -30%

- (h) **LOT COVERAGE (maxima):**
 - (i) Single-family dwelling house or accessory dwelling house -10%
 - (ii) Other uses -35%

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(2) cont'd:

(i) **DWELLING UNIT AREA (minima):**

- (i) Converted dwelling house -700 square feet
- (ii) Single-family dwelling house (79-49) -90 square metres (1000 square feet)
- (iii) Accessory dwelling house -850 square feet

(j) **HEIGHT OF BUILDING (maximum):** -35 feet

(k) **DWELLING HOUSES PER LOT (maximum):** (83-43) -1 only

(l) **DWELLING HOUSE LOCATION**

(79-49) & (81-25)

- (i) No Residential building shall be erected within 300 metres (1,000 feet) of any feed lot area, any manure storage area or any building or structure on a specialized farm which is used to house animals or fowl unless such Residential building is located on the same lot therewith.
- (ii) No Residential building shall be erected within 230 metres (750 feet) of the boundary of any M5 zone.

(m) **CONSENT GIVEN BY LAND DIVISION COMMITTEE FOR RESIDENTIAL LOT**

Notwithstanding the provisions of Section 10(2)(a)(ii) and 10(2)(b)(ii) hereof to the contrary, where a consent has been given by the Land Division Committee to create a Residential Lot by way of either the consent granted or the lot retained, such severed lot may be used for a single-family dwelling house provided that such lot has a minimum lot area of 0.8 hectares (2 acres) and a minimum lot frontage of 60 metres (200 feet) and provided further that all other provisions of this By-law are complied with. (79-49) (90-107).

(n) **SPECIALIZED FARM USE LOCATION:**

No building or structure on a specialized farm which is used to house animals or fowl, no feed lot area and no manure storage area shall be located within:

- (i) 1,000 feet of any Residential building or another lot;
- (ii) 300 feet of the centreline of any street;
- (iii) 200 feet of any lot line.

(o) **ACCESSORY USES, PARKING, ETC.:**

In accordance with the provisions of Section 5 hereof.

(p) **MINIMUM DISTANCE SEPARATION REQUIREMENTS:**

In accordance with the General Provisions of this By-law.

((By-law no. 2001-144 - 2001)

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3. **SPECIAL A2 ZONES**

(a) **A2-1**

Notwithstanding the provisions of Section 10(1) and 10(2) hereof to the contrary, the lands designated A2-1 on Schedule "A" hereto may be used for a merchandise service shop including an accessory retail outlet, an accessory dwelling house, and a warehouse, in accordance with the following provisions: (87-86).

- (i) LOT AREA (Minimum): -9,650 sq. feet
- (ii) LOT FRONTAGE (Minimum): -130 feet

(b) **A2-2**

Notwithstanding the provisions of Sections 10(1) and 10(2) hereof to the contrary, the lands designated A2-2 on Schedule "A" hereto also may be used for a wood roof structure (truss) manufacturing plant and a builder's merchant in accordance with the following special provisions:

- (i) GROSS FLOOR AREA (Maximum):
The combined gross floor area of all buildings shall not exceed 925 square metres.

(i) OPEN STORAGE:

No open storage of goods or materials shall be permitted except in accordance with the following provisions:

- (i) Every open storage use shall be accessory to the use of the main building on the lot.
- (ii) Every open storage use shall comply with the yard and setback provisions of Section 5(20) and Section 10(2) hereof as if such open storage use were a building or structure.
- (iii) Notwithstanding paragraph (ii) above, no open storage use shall be located in a front or exterior side yard. (93-69)

(c) **A2-3**

Notwithstanding the provisions of Clause (b) of Section 10(1) and Clauses (a) and (b) of Section 10(2) hereof to the contrary, the lands designated A2-3 on Schedule "A" hereto may also be used for an automobile body shop and a public garage, provided that said uses are developed and operated in accordance with the following special provisions: (94-120)

- (i) LOT AREA (minimum): 0.7 acres
- (ii) LOT FRONTAGE (minimum): 146 feet

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(3) cont'd:

(d) A2-4

Notwithstanding the provisions of Section 10(1) and 10(2) hereof to the contrary, the lands designated A2-4 on Schedule "A" hereto may be used for

a church;

a conservation use;

a crematorium;

a farm, including a specialized farm;

a forestry use;

a kennel;

a livestock sales barn;

a public use in accordance with the provisions of Section 5(18) hereof;

a seasonal fruit, vegetable, flower or farm produces sales outlet; in accordance with the following provisions: (87-86)

(i) LOT AREA (Minimum): 6ha

(By-law No. 99-321 - 1999)

(e) A2-5

Notwithstanding the provisions of Section 5(1), Section 10(1) and Section 10(2) to the contrary, the lands designated 'A2-5' on Map 2 of Schedule 'A' hereto may be developed for a farm machinery, small engine and automobile repair shop within the detached garage in accordance with the following modified provisions:

(i) MAXIMUM FLOOR AREA

The maximum floor area of the repair shop shall not exceed 200.5 square metres.

(ii) OPEN STORAGE

No open storage of good or materials shall be permitted except in accordance with the following provisions:

(i) Every open storage shall be limited to and accessory to the repair shop operation.

(ii) Every open storage shall comply with the setback provisions as follows:

Side yard 3.28 metres (10 feet)

Rear yard 7.89 metres (25.9 feet)

(iii) No open storage use shall be located in a front yard.

(iv) Every open storage use shall be enclosed within a fence consisting of at least an eight-wire farm fence which is maintained in good condition.

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(3) cont'd:

(iii) **ADVERTISING**

All advertising devices shall be consistent with the Sign By-law as to minimize the visual impact of such uses from adjacent roads and properties.

(By-Law No. 2002-128 – 2002)

(f) **A2-6**

Notwithstanding the provisions of Section 5(1), Section 10(1) and Section 10(2) of this By-Law to the contrary, the lands designated 'A2-6' on Map 2 of Schedule 'A' hereto shall be used and developed in accordance with the following regulations:

(i) **PERMITTED USES:**

The only permitted uses shall be:

(a) **RESIDENTIAL USES**

a converted dwelling house;
a single-family dwelling house.

(b) **NON-RESIDENTIAL USES**

a home occupation;
a plumbing, heating and welding operation;
offices associated with the plumbing, heating and welding operation.

(ii) **MAXIMUM FLOOR AREA OF SHOP AREA**

The maximum floor area of the plumbing, heating and welding operation shall not exceed 318.6 square metres and shall be located wholly within the shop located at 3272 Creekford Road.

(iii) **LOCATION OF OFFICE USES**

Office uses associated with the welding, heating and plumbing use may be located within the walls of the existing structure known municipally as 3262 Creekford Road. Said office uses shall only be permitted in conjunction with the welding, heating and plumbing use on the abutting lands at 3272 Creekford Road.

(iv) **MAXIMUM FLOOR AREA OF OFFICE USE**

The maximum floor area of the permitted office use for the welding, heating and plumbing use shall not exceed 170 square metres and shall be located wholly within the walls of the existing structure known municipally as 3262 Creekford Road. There shall be no change or alteration to the physical structure of 3262 Creekford Road to accommodate the office use.

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(3) cont'd:

(v) NUMBER OF EMPLOYEES

Other than a member of the family, the office staff associated with the business shall not exceed 6 employees working on site.

(vi) OPEN STORAGE

No open storage of goods or materials shall be permitted except in accordance with the following provisions:

(a) All open storage shall be limited to and be accessory to the permitted plumbing, heating, and welding operation.

(b) Minimum Setbacks:

Side yard 12 metres (40 feet)

Rear yard 7.62 metres (25 feet)

(c) No open storage use shall be located in any front yard area.

(d) All open storage use shall be enclosed with a solid wall or fence maintained in good condition.

(e) The parking of commercial vehicles shall be restricted to the rear yard.

(vii) ADVERTISING

All advertising devices shall be consistent with the Sign By-law as to minimize the visual impact of such uses from adjacent roads and properties.

(By-Law No. 2003-48 – 2003; 2004-50)

(g) **A2-7**

Notwithstanding the provisions of Section 5(1), Section 10(1) and Section 10(2) of this By-Law to the contrary, the lands designated 'A2-7' on Map 1 of Schedule 'A' hereto may be developed in accordance with the following regulations:

(i) PERMITTED USES:

The only permitted uses shall be:

(a) RESIDENTIAL USES

one single-family dwelling house.

(b) NON-RESIDENTIAL USES

a landscaping business which provides related service work off site; an office associated with the landscaping business; the repair and storage of equipment associated with the landscaping business; a landscape horticultural supplies holding yard for off site service locations containing materials such as gravels, soils, stone, mulches, trees/shrubs; no retail sales will be permitted from the site.

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(3) cont'd:

(ii) **MAXIMUM FLOOR AREA OF STORAGE/OFFICE/GARAGE**

The maximum floor area of the landscaping business shall not exceed 267.11 square metres in the repair/office building and 210 square metres in the existing Quonset structure located on the property at 3375 Van Order Road.

(iii) **USE OF THE REPAIR/OFFICE BUILDING**

The repair and office uses associated with the landscaping business shall only be located within the repair/office building on the property known municipally as 3375 Van Order Road. Said repair and office uses shall only be permitted in conjunction with the permitted landscaping business located at 3375 Van Order Road.

(iv) **USE OF THE QUONSET BUILDING**

The Quonset structure may be used for storage of tools and equipment and supplies pertaining to the permitted landscaping business located on the property known municipally as 3375 Van Order Road.

(v) **LANDSCAPE HORTICULTURAL SUPPLIES**

Landscape horticultural supplies shall be permitted on site only for supply to off-site service locations, including gravels, soils, stone, mulches, trees and shrubs. No retail sales such as landscape horticultural supplies shall be permitted from the site.

(vi) **PERENNIAL PROPAGATION YARD**

The perennial propagation yard shall be located on site and shall be used to grow perennials for off site service locations only. No retail sales of perennials shall be permitted from this site.

(vii) **ADVERTISING**

All advertising devices shall be consistent with the Sign By-law as to minimize the visual impact of such uses from adjacent roads and properties.

(By-Law No. 2004-96)