

Planning Committee

Report Number 15-2019

October 7, 2019

To the Mayor and Members of Council:

The Planning Committee reports and recommends as follows from the Planning Committee Meeting held on October 3, 2019:

a) Approval of an Application for Zoning By-Law Amendment – 2267 and 2271 Princess Street

That the application for a zoning by-law amendment (File Number D14-032-2018) submitted by IBI Group Incorporated, on behalf of 10344796 Canada Inc., for the property municipally known as 2267 and 2271 Princess Street, be approved; and

That By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 76-26) to Report Number PC-19-056; and

That Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

That the amending by-law be presented to Council for all three readings.

(See By-Law Number (X), XXXX-XX attached to the agenda as schedule pages XX– XX)

-Attach Exhibit A

b) Approval of an Application for Zoning By-Law Amendment – 189 Montreal Street

That the application for a zoning by-law amendment (File Number D14-035-2018) submitted by Fotenn Consultants Inc. & Marco DiPietrantonio, on behalf of Marco DiPietrantonio, for the property municipally known as 189 Montreal Street, be approved; and

That By-Law Number 8499, entitled "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as amended, be further amended, as per Exhibit A (Draft By-Law and Schedule A to Amend Zoning By-Law Number 8499) to Report Number PC-19-057; and

That Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

That the amending by-law be presented to Council for all three readings.

(See By-Law Number (X), XXXX-XX attached to the agenda as schedule pages XX– XX)

-Attach Exhibit A

By-Law Number 2019-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” (Zone Change from ‘C2-1 and C2-1-H’ Zone to Site-Specific ‘C2-75’ Zone, 2267 & 2271 Princess Street, and Amendment to Map 5 of Schedule “A”)

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 5 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘C2-1 and C2-1-H’ to ‘C2-75’, as shown on Schedule ‘A’ attached to and forming part of By-Law Number 2019-XX.
 - 1.2. By adding the following subsection 19(3)(bw) thereto as follows:

“(bw) **C2-75 (2267 & 2271 Princess Street)**

Notwithstanding the provisions of Sections 5 and 19 hereof to the contrary, on the lands designated ‘C2-75’ on Schedule ‘A’ hereto, the following regulations shall apply:

(a) Additional Permitted Use: Hotel

(b) Hotel:

i. Building Height

- a) The maximum building height shall be 15 metres.
- b) The maximum building height does not prevent the erection of functional or mechanical elements approved under the Site Plan Agreement and required for the normal operation of the building and permitted uses.

ii. Required Yards/Setbacks

- a) The minimum yards shall be as follows:
 - i. Front Yard Depth – 15 metres
 - ii. Rear Yard Depth – 9 metres
 - iii. Interior Side Yard Width – East – 17 metres
 - iv. Interior Side Yard Width – West – 19 metres
- b) The maximum front yard depth, measured to the nearest wall of the main building, shall be 17 metres.

iii. Canopies

Notwithstanding the required yard provisions set out in subsection (ii) above, canopies may project up to 3.5 metres from the wall of the main building.

iv. Accessory Building

An accessory building shall be permitted no closer than 1.5 metres from the rear lot line.

v. Loading Space

- a) A minimum of one loading space shall be provided for a hotel.
- b) The required loading space may also be used as a bus parking space.
- c) The minimum dimensions of such loading space shall be 12 metres long by 3.2 metres wide.

- d) Access to loading spaces shall be by means of a driveway at least 6.0 metres wide for two-way operation.

vi. Off-Street Parking

- a) The minimum parking ratio requirement shall be 0.9 spaces per guest room.
- b) Standard parking spaces shall have minimum dimensions of 2.6 metres wide by 5.2 metres long.
- c) The minimum parking aisle width shall be 6 metres.
- d) Access to the required parking spaces and parking areas shall be provided by means of unobstructed driveways or passageways having a minimum width of 6 metres for combined ingress and egress.

vii. Off-Street Accessible Parking

- a) Type A accessible parking spaces shall have minimum dimensions of 3.4 metres wide by 5.2 metres long.
- b) Type B accessible parking spaces shall have minimum dimensions of 2.7 metres wide by 5.2 metres long.
- c) An accessible aisle with minimum dimensions of 1.5 metres wide by 5.2 metres long, and marked with high tonal contrast diagonal lines, is required adjacent to Type A and Type B accessible parking spaces. The accessible aisle may be shared between Type A and Type B accessible parking spaces.

viii. Planting Strip

A minimum 2.0 metre wide planting strip is required along the front lot line and the east side lot line, with the exception of the east-west portion of the east lot line, where the minimum width of the planting strip is 1.3 metres. The planting strip shall be regulated through Site Plan Control.”

- 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, Building & Licensing Services

a department of
Community Services

SCHEDULE 'A' TO BY-LAW NUMBER 76-26

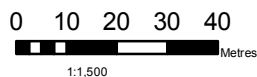
File Number: D14-032-2018
Address: 2267 and 2271 Princess Street

LEGEND Reference By-Law 76-26, Map 5

- Rezoned from C2-1-H to C2-75
- Rezoned from C2-2 to C2-75

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____,
passed this _____ day of _____ 2019.



Mayor

Clerk

By-Law Number 2019-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’ to Site-Specific ‘B.565’, 189 Montreal Street, and Amendment to Map 18 of Schedule “A”)

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 18 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘A’ to ‘B.565’, as shown on Schedule “A” attached to and forming part of By-Law Number 2019-XX.
 - 1.2 By adding a new Section 565 to Part VIII (Exceptions to the Various Zone Classifications), as follows:

“565. 189 Montreal Street

Notwithstanding the provisions of Section 5 and Section 13 hereof to the contrary, on the lands designated ‘B.565’ on Schedule “A” hereto, the following regulations shall apply:

- a) Permitted Uses: The permitted uses in the ‘B.565’ zone are limited to:
 - i. a two family dwelling; and
 - ii. a three family dwelling.

subject to and in accordance with the provisions set out in Section 13 together with this Section 565.

- b) Required Yards:
 - i. Minimum Front Yard: 1.0 metre
 - ii. Minimum Side Yard: The minimum aggregate side yard shall be 2.0 metres, with no side yard being less than 1.0 metre in width.
- c) Projections into Yards: Unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered, may project into the front yard with no minimum setback from the front lot line.
- d) Maximum Density: 71 dwelling units per net hectare
- e) Off-Street Parking:
 - i. The minimum size of standard parking space shall be 2.6 metres wide by 5.2 metres long.
 - ii. The minimum size of a Type A barrier free parking space shall be 3.4 metres wide by 5.2 metres long.
 - iii. The minimum size of a required access aisle adjacent to a barrier free parking space shall be 1.5 metres wide by 5.2 metres long.
- f) Access: Where four or more parking spaces are required, the parking area shall be accessed by at least one lane for the combined purposes of ingress and egress, having a minimum width of 3.0 metres.

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, Building
& Licensing Services
a department of
Community
Services

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

File Number: D14-035-2018
Address: 189 Montreal Street

LEGEND

Reference By-Law 8499, Map 18

 Lands to be Rezoned from A to B.565

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____,
passed this _____ day of _____ 2019.

