

By-Law Number 2020-XXX

**A By-Law To Amend The City Of Kingston Official Plan (Amendment Number 71,
Update to the Williamsville Main Street Study)**

Passed: [Meeting Date]

Whereas a Public Meeting was held regarding this amendment on August 13, 2020;

Now Therefore the Council of The Corporation of the City of Kingston, in accordance with the provisions of Section 17 of the *Planning Act*, R.S.O. 1990, c.P13, hereby enacts as follows:

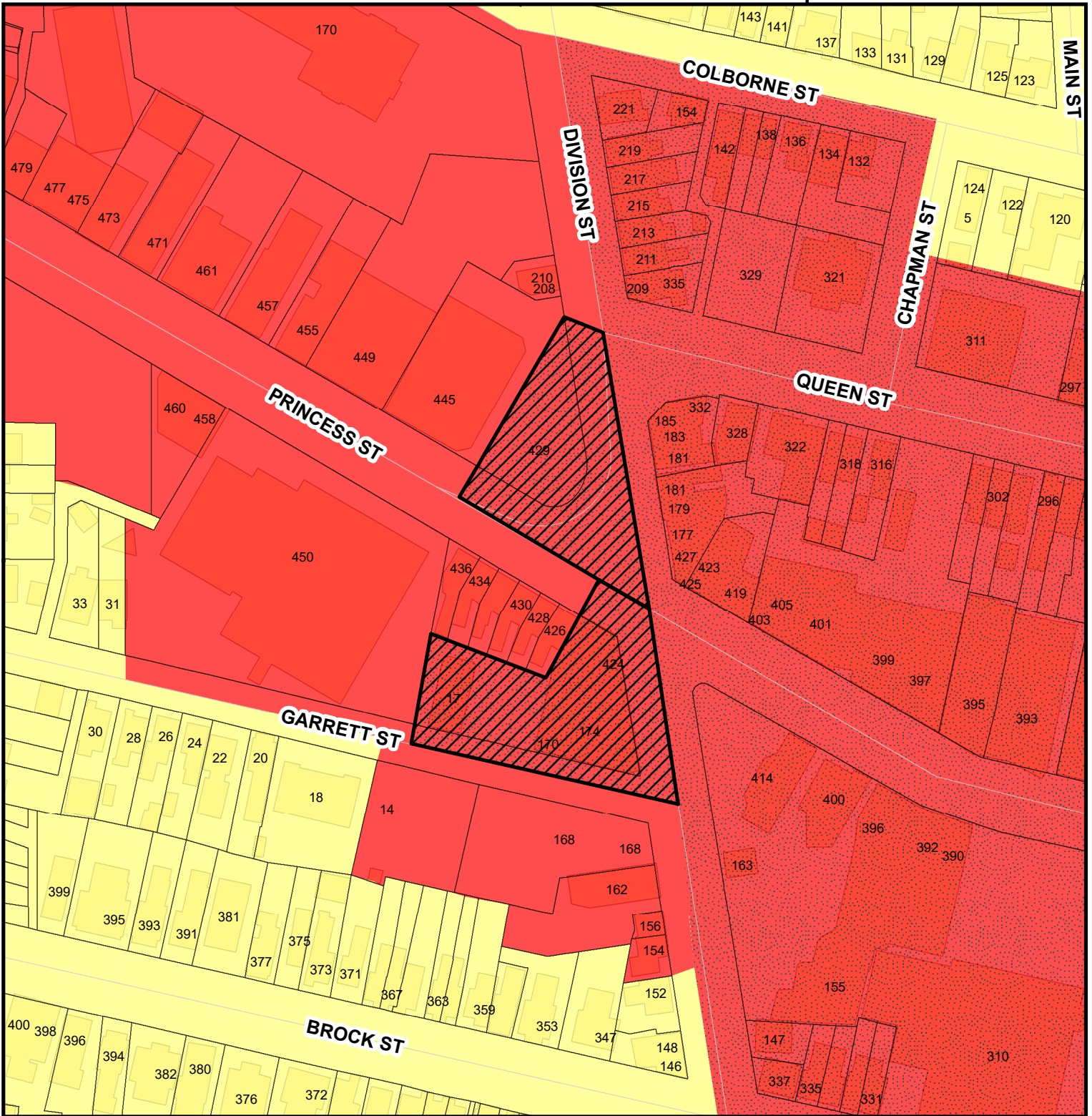
1. The City of Kingston Official Plan is hereby amended by the following map changes, which shall constitute Amendment Number 71 to the Official Plan for the City of Kingston.
 - (a) **Amend** Schedule '3-A', 'Land Use', of the City of Kingston Official Plan, so as to re-designate the properties shown on Schedule 'A' to By-Law Number 2020-XX, from 'Central Business District' to 'Main Street Commercial'.
 - (b) **Amend** Schedule '3-A', 'Land Use', of the City of Kingston Official Plan, so as to re-designate the properties shown on Schedule 'B' to By-Law Number 2020-XX, from 'Residential' to 'Main Street Commercial'.
 - (c) **Amend** Schedule '3-A', 'Land Use', of the City of Kingston Official Plan, so as to re-designate the properties shown on Schedule 'C' to By-Law Number 2020-XX, from 'Main Street Commercial' to 'Residential'.
 - (d) **Amend** Schedule '3-A', 'Land Use', of the City of Kingston Official Plan, so as to re-designate the properties shown on Schedule 'D' to By-Law Number 2020-XX, from 'Residential' to 'Main Street Commercial'.
 - (e) **Amend** Schedule '3-A', 'Land Use', of the City of Kingston Official Plan, so as to re-designate the properties shown on Schedule 'E' to By-Law Number 2020-XX, from 'Residential' to 'Main Street Commercial'.
 - (f) **Amend** Schedule '3-A', 'Land Use', of the City of Kingston Official Plan, so as to re-designate the properties shown on Schedule 'F' to By-Law Number 2020-XX, from 'Residential' to 'Main Street Commercial'.
 - (g) **Delete** Schedule 'PS-1', 'Princess Street Corridor Specific Policy Area Williamsville Main Street', of the City of Kingston Official Plan, and **replace** it with a new version of Schedule 'PS-1', Princess Street Corridor Specific Policy Area Williamsville Main Street', as shown on Schedule 'G' to By-Law Number 2020-XX.

2. That the City of Kingston Official Plan, as amended, be further amended by including the following changes to Section 3.4.C 'Main Street Commercial':
 - (a) **Delete** Section 3.4.C.9 in its entirety and **replace** it with the following new Section 3.4.C.9: "New development within the Williamsville Main Street is directed by the Williamsville Main Street Study (2012) and Addendum (2020), which provide specific design direction and are further detailed in the policies for the Princess Street Corridor Specific Policy Area: Williamsville Main Street in Section 10E.1 of this Plan."
3. That the City of Kingston Official Plan, as amended, be further amended by the following changes:
 - (a) **Delete** Section 10E.1 'Princess Street Corridor Specific Policy Area, Williamsville Main Street' in its entirety and **replace** it with a new Section 10E.1 'Princess Street Corridor Specific Policy Area, Williamsville Main Street' as shown on Schedule 'H' to By-Law Number 2020-XX.
4. This by-law shall come into force and take effect on the day that is the day after the last day for filing an appeal pursuant to the *Planning Act*, provided that no Notice of Appeal is filed to this by-law in accordance with the provisions of Section 17, Subsection 24 of the *Planning Act*, as amended; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the By-Law shall be deemed to have come into force and take effect on the day the appeals are withdrawn or dismissed, as the case may be.

Given all Three Readings and Passed: [Meeting date]

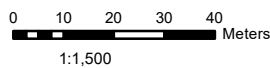
John Bolognone
City Clerk

Bryan Paterson
Mayor



SCHEDULE 'A'
OFFICIAL PLAN AMENDMENT NUMBER 71

File Number: D35-003-2020
Addresses: 424, 429 Princess St;
170, 174 Division St; 17 Garrett St

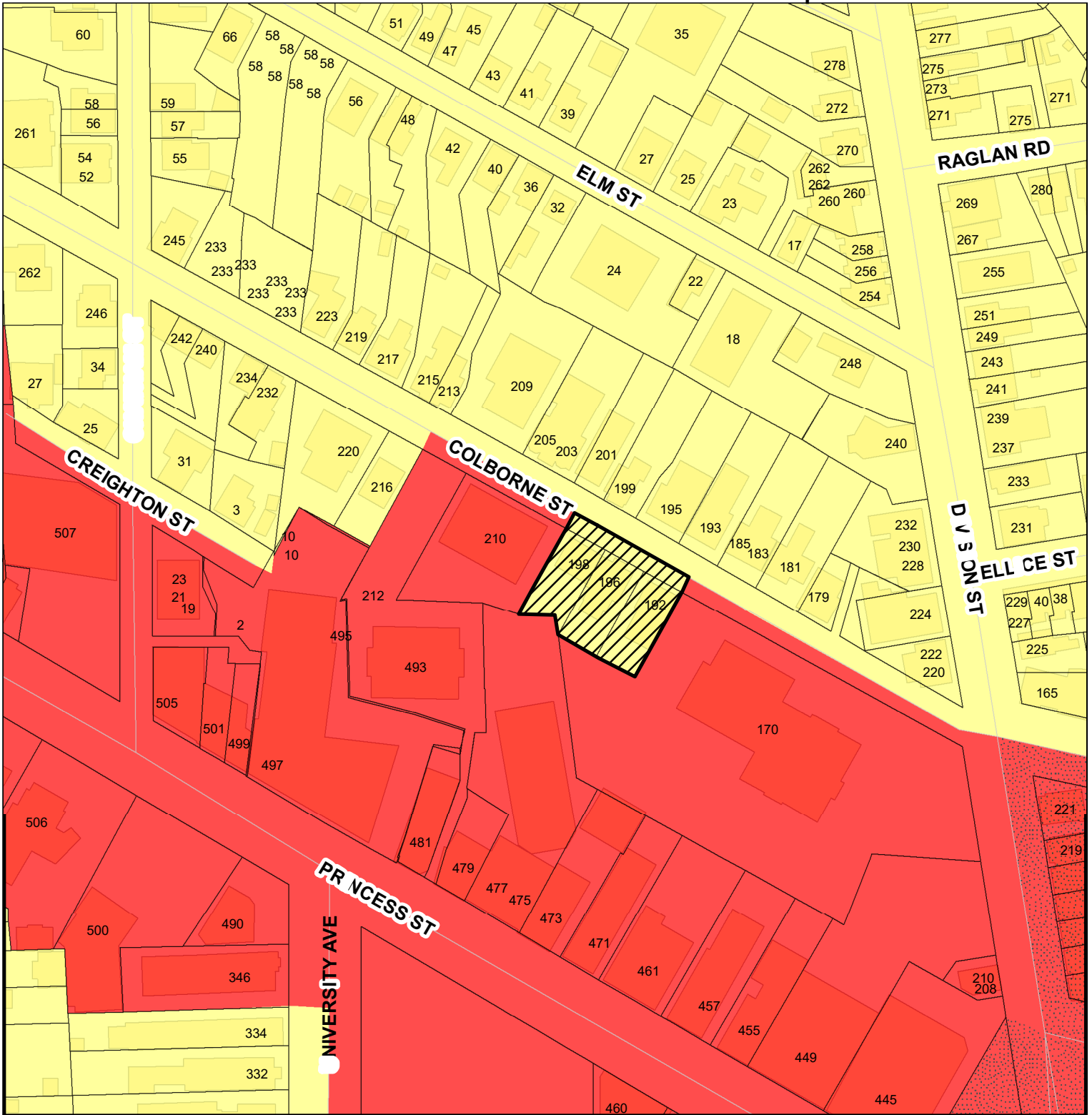


LEGEND

Official Plan Schedule 3-A, Land Use
 Lands Re-designated from Central Business District to Main Street Commercial

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____,
passed this _____ day of _____ 2020.

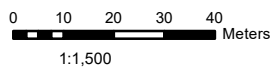


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SCHEDULE 'B'
OFFICIAL PLAN AMENDMENT NUMBER 71

File Number: D35-003-2020
Addresses: 192, 196, 198 Colborne St



LEGEND

Official Plan Schedule 3-A, Land Use

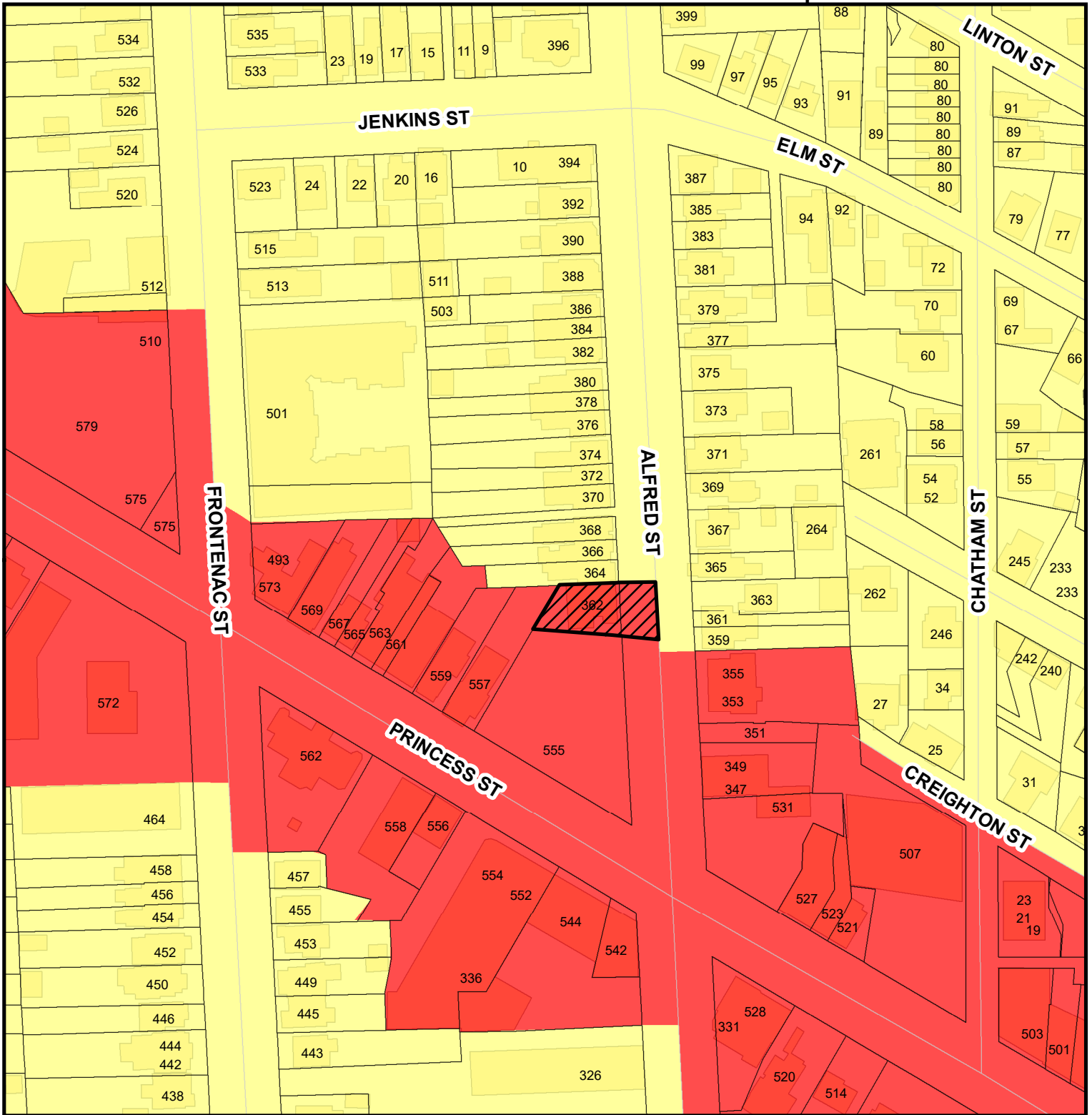
Lands Re-designated from Residential to Main Street Commercial

Certificate of Authentication

This is Schedule 'B' to By-Law Number _____,
passed this _____ day of _____ 2020.

Mayor

Clerk

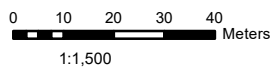


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SCHEDULE 'C'
OFFICIAL PLAN AMENDMENT NUMBER 71

File Number: D35-003-2020
Address: 362 Alfred St



LEGEND

Official Plan Schedule 3-A, Land Use

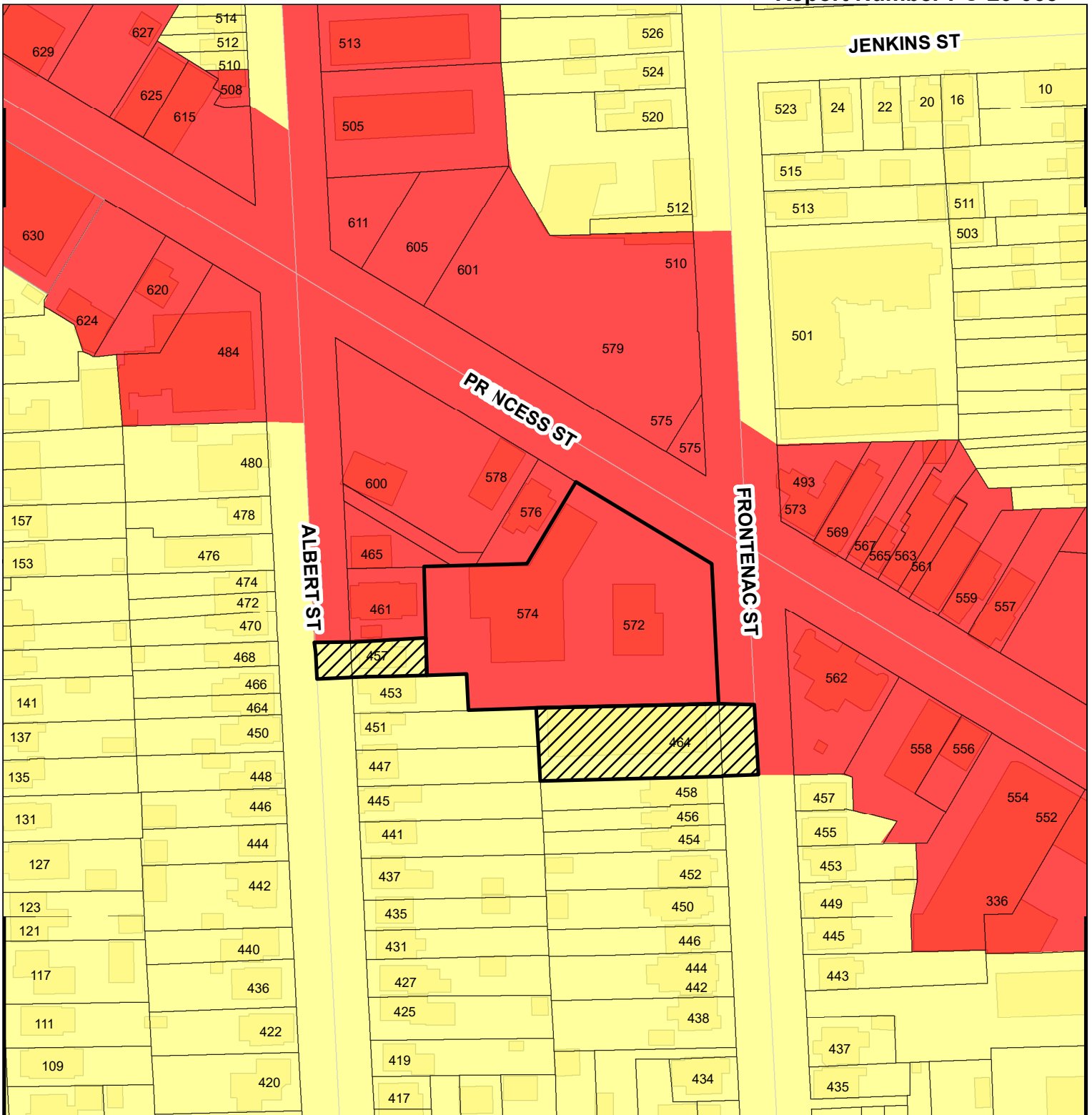
Lands Re-designated from Main Street Commercial to Residential

Certificate of Authentication

This is Schedule 'C' to By-Law Number _____,
passed this _____ day of _____ 2020.

Mayor

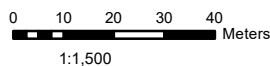
Clerk



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**SCHEDULE 'D'
OFFICIAL PLAN AMENDMENT NUMBER 71**

File Number: D35-003-2020
Addresses: 572, 574 Princess St;
465 Frontenac St; 457 Albert St



LEGEND

Official Plan Schedule 3-A, Land Use

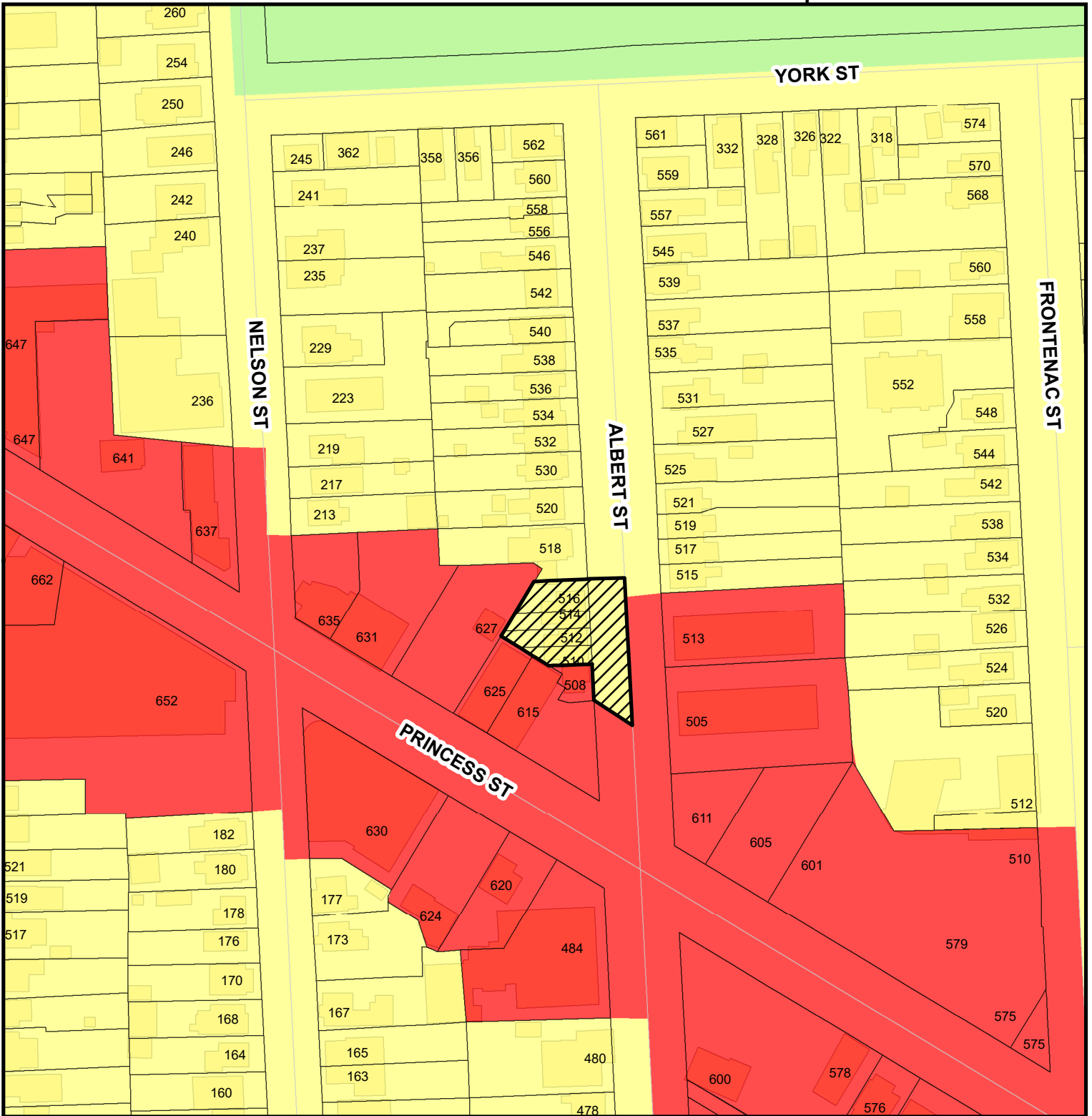
- Lands Re-designated from Residential to Main Street Commercial
- Portion of Lands Already Designated Main Street Commercial

Certificate of Authentication

This is Schedule 'D' to By-Law Number _____,
passed this _____ day of _____ 2020.

Mayor

Clerk

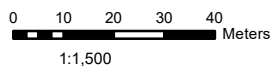


Planning Services

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SCHEDULE 'E'
OFFICIAL PLAN AMENDMENT NUMBER 71

File Number: D35-003-2020
Addresses: 510, 512, 514, 516 Albert St




PREPARED BY: akeeping
DATE: 2020-10-30

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LEGEND

Official Plan Schedule 3-A, Land Use

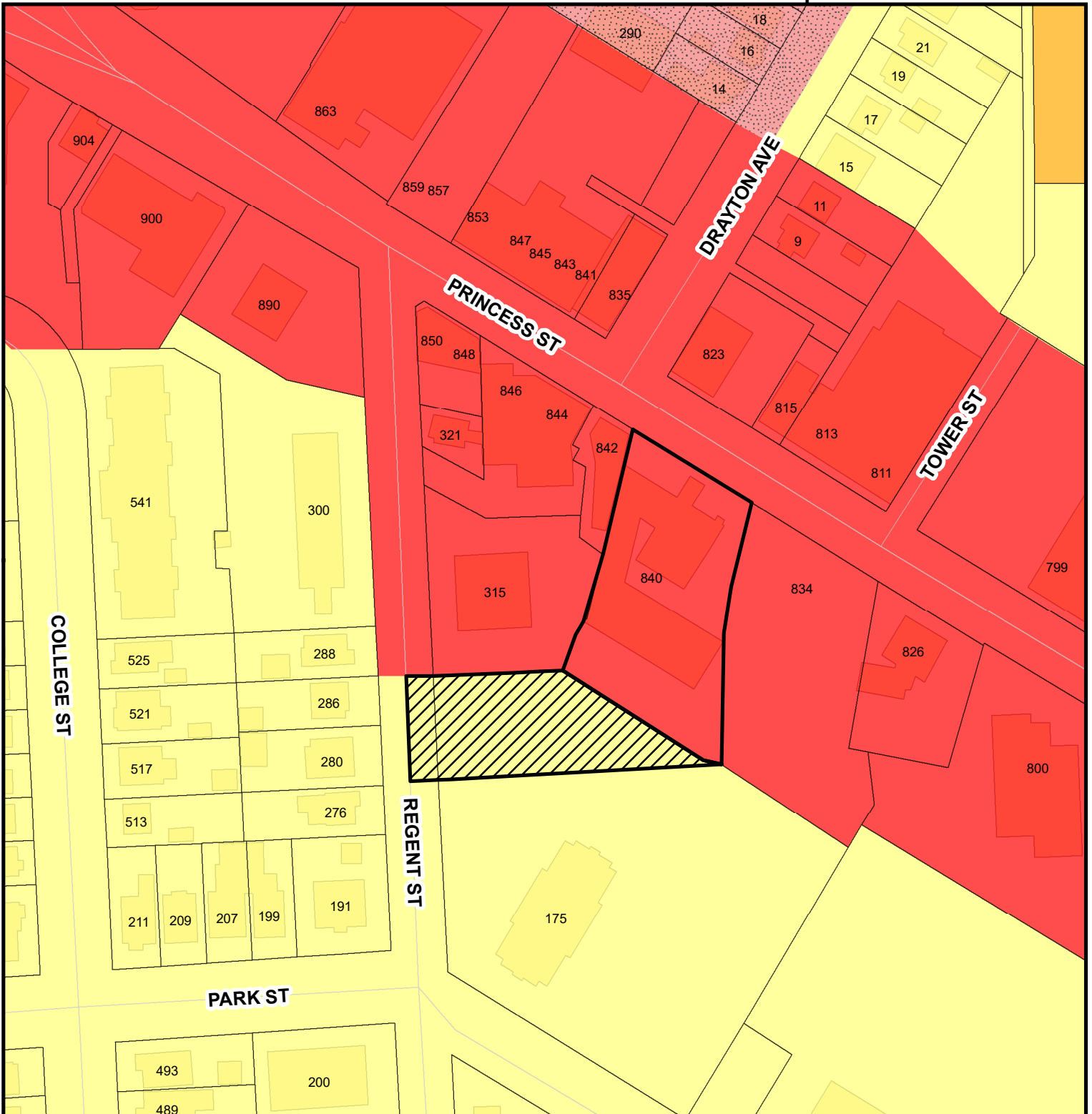
 Lands Re-designated from Residential to Main Street Commercial

Certificate of Authentication

This is Schedule 'E' to By-Law Number _____,
passed this _____ day of _____ 2020.

Mayor

Clerk

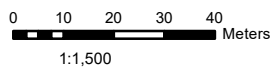


Planning Services

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Community
Services

SCHEDULE 'F'
OFFICIAL PLAN AMENDMENT NUMBER 71

File Number: D35-003-2020
Address: 840 Princess St



PREPARED BY: akeeping
DATE: 2020-10-30

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LEGEND

Official Plan Schedule 3-A, Land

- Lands Re-designated from Residential to Main Street Commercial
- Portion of Lands Already Designated Main Street Commercial

Certificate of Authentication

This is Schedule 'F' to By-Law Number _____,
passed this _____ day of _____ 2020.

Mayor

Clerk



LEGEND

 REQUIRED GROUND FLOOR COMMERCIAL ALONG PRINCESS STREET FRONTAGE

BUILDING HEIGHTS

 MAXIMUM HEIGHT THE LESSER OF 20 METRES OR 6 STOREYS

 TOWER PERMITTED - MAXIMUM HEIGHT THE LESSER OF 61.5 METRES OR 20 STOREYS



THE CORPORATION OF THE CITY OF KINGSTON

SCHEDULE 'G' TO BY-LAW _____
Official Plan Amendment No. 71

File Number: D35-003-2020
Location: Williamsville Main Street-
Princess Street from Division Street
to Bath Road

Planning Services

a department of
Community
Services

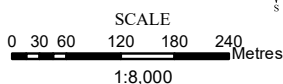
Prepared by: akeeping
Date: 2020-11-06

Legend:

Official Plan Schedule PS-1,
Princess Street Corridor Special Policy Area:
Williamsville Main Street; City of Kingston

Certificate of Authentication

This is Schedule 'G' to By-Law No. _____
passed this _____ day of _____ 2020



Mayor

Clerk

Schedule H to By-Law Number 2020-XXX

10E.1 Williamsville Main Street

The Williamsville Main Street, which extends between the westerly limit of the Central Business District at Division Street and the Bath Road/Concession Street intersection, is a major component of the Princess Street Corridor, as shown on Schedule 2. It is intended to be a focus of *development* in a pedestrian-oriented form that will provide support for the Princess Street transit corridor and more sustainable means of growth. The Williamsville Main Street is shown on Schedule PS-1 of this Plan.

Vision

10E.1.1. The vision for the Williamsville Main Street corridor is a vibrant and active intensification area with a mix of land uses framing an improved, pedestrian-oriented streetscape.

Guiding Principles

- 10E.1.2.**
- a. Ensure community vitality through a mix of uses that includes retail/commercial at grade.
 - b. Improve the pedestrian and cyclist experience along Princess Street.
 - c. Identify opportunities to green the public and private realm.
 - d. Guide development at an appropriate scale and density that is compatible with the street width and neighbourhood context.
 - e. Encourage high quality architecture that is representative of the cultural heritage of Williamsville.
 - f. Protect existing residential areas from adverse effects.
 - g. Provide a sustainable framework for future development, including phasing-in of development so that it does not compromise the long-term servicing strategy for Williamsville.

Policies:

Permitted Uses

10E.1.4. Permitted uses are outlined in Section 3.4C, Main Street Commercial. Ground floor commercial uses are required for properties on Princess Street as shown on Schedule PS-1. Other properties in the area may be developed with a mix of commercial/office and residential at-grade.

Other Official Plan Policies

- 10E.1.5.** In addition to these area-specific policies, there are other policies of the Official Plan that also apply to the Williamsville Main Street. Where there is a conflict between these area-specific policies and other policies of the Official Plan, these area-specific policies shall prevail.

Cultural Heritage Resources and Character

- 10E.1.6.** The Williamsville Main Street has an evolving character that will continue to be defined by its role as a main transportation corridor and a priority transit route for the City. New *development* must protect, enhance, support or adaptively re-use cultural heritage resources. The heritage character statement for the Williamsville corridor is as follows: “The Williamsville study area is a linear mixed-use district with land uses and built form largely determined by the evolving nature of Princess Street.” The key heritage character defining element of the corridor is the pattern of streets and blocks determined by the juxtaposition of Princess Street and the existing street grid.

Transit

- 10E.1.7.** Transit service is important to further growth and *development* within the Williamsville Main Street. The Williamsville Main Street is part of the Princess Street Corridor, which is identified in the Official Plan as a priority transit route and the focus of future *intensification*.

Urban & Sustainable Design

- 10E.1.8.** New *development* within the Williamsville Main Street shall be designed in accordance with the urban design principles developed through the addendum to the Williamsville Main Street Study (2020). Any application for new *development* will be reviewed during the site plan control review process in terms of its compatibility with the architectural character of the area in which it is located and based on the addendum to the Williamsville Main Street Study (2020).
- 10E.1.9.** Storm water management is required. Buildings and site design shall control the rate of storm water run-off as per the City’s current design criteria.
- 10E.1.10** Green roofs are encouraged for all new *developments*. Where a green roof is also accessible to the building occupants as amenity area, it may be considered by the City as part of a *development’s* required amenity area calculation in the Zoning By-Law. Green roofs can be a combination of landscaped and hardscaped surfaces.

- 10.E.1.11. Buildings and windows should be oriented and designed such that natural means of heating, cooling, ventilating, lighting interior spaces and avoiding intrusive overlook are maximized.
- 10.E.1.12. New development will be sited and designed to optimize pedestrian comfort related to weather, including, but not limited to, precipitation, heat, cold, shadowing, and wind.
- 10.E.1.13. The use of high quality and appropriate exterior building materials at ground level, particularly at the streetwall and areas that are visible from Princess Street, is an important design consideration to help new *development* support the public realm and fit within the planned context for Williamsville. New *development* will utilize primary exterior materials selected for their permanence, durability and energy efficiency.

Public Realm Design

- 10.E.1.14. Pedestrian movement and the function and aesthetic quality of the street are priorities for the public realm in the corridor, in order to transform the street into an attractive and vibrant destination.
- 10.E.1.15. The setbacks along the street frontages are intended to provide a wider pedestrian realm. A widened pedestrian realm provides room for pedestrian movement, window shopping, chance meetings, retail overflow, small patios, and doorways and building entrances. This area may also include private street furniture, private signage, merchandise displays, and other similar elements.
- 10.E.1.17. Planted and hardscaped areas with the potential for site furnishings, such as benches, secure bicycle parking, and transit shelters are strongly encouraged. Wherever possible, the boulevard should contain a linear planting of street trees in clustered tree trenches to encourage longevity and viability.
- 10.E.1.18. The sidewalk and front façade of *developments* fronting onto Princess Street should generally be continuous, except where building forecourts, gardens, or other public access is required.

Ground Floor Conditions

- 10.E.1.19. The floor-to-floor height of the ground level must be a minimum of 4.5 metres. This will facilitate commercial uses at grade and will ensure that the ground floor has a continuous character.
- 10.E.1.20. In the case of corner sites, the commercial uses should wrap the corner of the building, occupying a portion of the frontage on the secondary street.

- 10E.1.21.** Entrances for all land uses off of Princess Street, Division Street, Bath Road and Concession Street, as well as any commercial uses that wrap the corner of any side streets off of Princess Street, must be constructed at-grade to be accessible and to allow for viable commercial spaces.
- 10E.1.22.** Where ground floor residential uses are permitted along Princess Street, Division Street, Bath Road, and Concession Street, the building design must contribute to the pedestrian activity and amenity of the street and complement the commercial storefront design and character of the street. Residential uses will include an appropriate transition from the public to private realm. The height of the ground floor units must enable future conversions to commercial uses.
- 10E.1.23.** Where residential uses are proposed on side streets not listed in Section 10E.1.21, each unit shall have an independent pedestrian access. Some entrances may be raised above sidewalk level to provide transition from the public to private realm and/or to provide private amenity space or landscaping to buffer the residential unit from the public realm.
- 10E.1.24.** Canopies, cantilevers, awnings, recessed entrances, covered walkways and porticoes are recommended to provide weather protection to pedestrians and help articulate building elevations.
- 10E.1.25.** To encourage pedestrian interaction and enhance safety, facades facing Princess Street or adjacent to public open spaces shall be composed of large areas of glazing and should occupy a minimum of 60% of the ground floor frontage. The treatment of the ground floor shall be highly transparent with strong visual connections between the street and the ground floor interior spaces. Clear glass is preferable to promote the highest level of visibility. Lifestyle graphics and other forms of images that result in a solid panel behind glazing, or other permanent opaque coverings on windows and doors that prevent views into the ground floor of buildings are not considered glazing for the purpose of this policy. Where a single use retailer occupies the ground floor of a building, it is expected that the majority of the frontage will still be activated by other uses, such as with smaller shops or offices that have individual entrances and street presence.
- 10E.1.26.** Where residential or office uses are included above commercial uses, a separate exterior entrance must be provided at-grade. Long frontages without active entrances are discouraged.

Building Width and Articulation

- 10E.1.27.** Building massing will be articulated or broken up through a continuous rhythm of building fronts achieved through a pattern of projections and recessions, entrances, display spaces, signage, and glazed areas to ensure that facades are not overly wide. The intent is to create the sense

of having multiple buildings along the width of the building. Vertical breaks and stepbacks will also be required.

Streetwall Heights

- 10E.1.28.** New *development* shall support a vibrant pedestrian environment by establishing and maintaining a continuous streetwall that frames Princess Street. New *development* should provide a streetwall height of three to four storeys.
- 10E.1.29.** Where new development is adjacent to existing development on a side street, the new development will reflect the scale of that development in its design and provide for an appropriate built form transition.

Building Heights

- 10E.1.30.** For the purposes of the Williamsville Main Street Corridor, any building up to 6 storeys in height is considered a mid-rise building, and a building greater than 6 storeys in height is considered to be a tall building.
- a.** Buildings shall be no taller than a 6 storey mid-rise building, unless specifically identified in the height map in Schedule PS-1 as being in an appropriate location for a tall building. Mechanical penthouses, other rooftop mechanical equipment, and architectural appurtenances to support green roofs, other rooftop sustainability elements, and rooftop amenity spaces are not considered to be a storey and may exceed the maximum allowable building height, provided they are appropriately screened and buffered from the street and adjacent residential areas.
 - b.** Where specifically permitted by Schedule PS-1, tall buildings shall have a podium no greater than 6 storeys in height in keeping with the intended form and function of the corridor. The tower portion of such tall building shall be designed in accordance with Section 10E.1.34.
 - c.** New developments must provide for appropriate transitions in height and massing between Princess Street and the adjacent residential areas.
 - d.** The minimum and maximum heights are regulated through the implementing zoning by-law and are intended to represent a firm cap on the height of new buildings.

Mid-Rise Building Setbacks and Stepbacks

- 10E.1.31.** Mid-rise buildings shall be set back from lot lines shared with properties designated for residential use. The intent is to concentrate building

massing near Princess Street and provide physical separation between the new larger development and existing residential uses. This setback will be detailed in the implementing zoning by-law.

- 10E.1.32.** The following policies apply to setbacks of mid-rise buildings:
- a. Buildings shall include setbacks above the 4th floor where a building faces a street.
 - b. Buildings shall include setbacks above the 2nd floor where a building is adjacent to a low-rise residential building and no rear lane as per Section 10E.1.41 is proposed. Notwithstanding the required setbacks, where a building fronting onto Princess Street incorporates a low-rise built form intended to mimic grade related townhouse units, which are no greater than 2-storeys in height and at a maximum depth of 20 metres from the street face, the setbacks to the rear property line may be reduced for the low-rise built form component.
 - c. Spaces created by building setbacks are encouraged to be used for amenity area and the inclusion of green space.
 - d. Required setbacks will be detailed in the implementing zoning by-law.
- 10E.1.33.** Along Princess Street, the portion of the building above the streetwall may step back from the side property line(s) adjacent to another building fronting Princess Street to provide space to incorporate window openings. Separation distance between new *development* and existing buildings must be in keeping with the requirements of the Ontario Building Code to allow for sufficient glazing and access to sunlight.

Tall Buildings

- 10E.1.34.** The following policies apply to tall buildings:
- a. Tall buildings will be designed with a mid-rise podium to reflect the intent and character of the addendum to the Williamsville Main Street Study (2020). These podiums will incorporate a mix of commercial and residential uses and shall meet all policies of Section 10E.1 that apply to the design of a mid-rise building.
 - b. The tower component of tall buildings will have a maximum floorplate of 790 square metres.
 - c. The tower component of tall buildings will be separated from each other by a minimum of 25 metres, measured from the two closest points between the towers. The tower component shall be setback a

minimum of 12.5 metres from the property line of an adjacent property, except where the adjacent property has already been developed with a tall building, such tower may be located closer than 12.5 metres to the property line so long as the 25 metre separation distance between towers is maintained.

- d. Consideration should be given to the location of a tower on a site. Towers will be located as far as possible from adjacent low-rise developments. Additional setbacks from the top of the mid-rise podium will be required.

Projections

- 10E.1.35. New *developments* shall not contain balconies that project beyond the face of the building for the first three storeys for all facades that face a street. For clarity, balconies can be inset to provide private amenity space for residents for the first three storeys. Balconies on the rear façade of *developments* may project from the building face above the second storey but should be set back from the rear property line. Balconies of new *developments* shall not encroach into the public road allowance.

Blank Side Walls

- 10E.1.36. Blank side wall conditions may be acceptable up to a height of four (4) storeys if treated properly. To mitigate the impact of blank walls, they should be designed with a material finish that complements the architectural character of the main building façade. Blank walls are not permitted facing a street, and are only appropriate where they exist near to an existing building or where a future building can reasonably be expected.

Required Parking

- 10E.1.37. The implementing zoning by-law requires residential parking spaces to be provided at a specific ratio based on the number of dwelling units. The City may support reductions in the required number of residential parking spaces through an application for a minor variance. Such application may seek to provide as few as zero parking spaces for residential units and shall be supported by a Parking Justification Report prepared by a qualified professional demonstrating that the proposed number of spaces is adequate to meet the future anticipated demand and does not impact or place demand on the public parking supply. Such proposals may also consider proposed additional methods to mitigate vehicle ownership and use through features in the building that support multi-modal living.

- 10E.1.38.** The City may support reductions in the required number of non-residential parking spaces through an application for a minor variance if it is supported by a Parking Justification Report prepared by a qualified professional demonstrating that the proposed number of spaces is adequate to meet the future anticipated demand.

Structured Parking

- 10E.1.39.** Any new structured parking facilities will be developed according to the following policies:
- a. Structured parking that fronts onto Princess Street will be developed with active uses at ground level to provide attractive facades, animate the streetscape, and enhance pedestrian safety.
 - b. Vehicular access to the parking structure will be located at the rear and/or side of the building away from frontages along Princess Street, wherever possible.
 - c. Pedestrian entrances for the parking structure should be located adjacent to main building entrances, public streets, or other highly visible locations.
 - d. Parking structures that front onto secondary streets will be screened from view at sidewalk level and the ground floor level of the building should be enhanced through architectural detailing and landscaping.
 - e. Structured parking will be designed using the concepts and principles of Crime Prevention Through Environmental Design (CPTED).
 - f. Structured parking will be designed in such a way as to be able to be repurposed for other uses should the demand for parking decrease. Examples include, but are not limited to, conversions to accommodate more bicycle parking, communal amenity areas, or storage spaces.

Surface Parking

- 10E.1.40.** Any new surface parking facilities will be developed according to the following policies:
- a. Where surface parking for new *development* is necessary, parking lots should be located at the rear of buildings. Surface parking lots shall not be permitted in front of buildings facing Princess Street or on lots directly abutting Princess Street.

- b. Private surface parking facilities will not be permitted as the primary long-term use of the property.
- c. Planting strips, landscaped traffic islands, and/or paving articulation should be used to define vehicle routes and smaller parking courts that provide pedestrian walkways, improve edge conditions, and minimize the negative visual impact of surface parking.
- d. Landscaping, or other parking area screening devices, should not obstruct the primary building façade or total visibility of the parking area.
- e. Preferential parking for bicycles, energy efficient vehicles, and car-share services are encouraged.
- f. Surface parking will be designed in such a way as to be able to be repurposed for other uses should the demand for parking decrease. Examples include, but are not limited to, space for additional structures, bicycle parking, or outdoor amenity areas.

Rear Lanes

- 10E.1.41.** Rear lanes may be used to service commercial uses and provide access to structured and below grade parking, and shall be developed in accordance with the following policies:
- a. Rear lanes shall enter and exit onto adjacent side streets.
 - b. New *developments* along Princess Street should seek opportunities to provide continuity to existing adjacent rear lane systems where the lane condition terminates adjacent to the property.
 - c. Where new *developments* occur and lanes are required to provide access to rear lot parking facilities, the primary façade of the building should not face the lane, nor should the primary pedestrian ground level access be provided from a rear lane. This is necessary as it is important to maintain primary ground level access from the street in order to encourage street activity and to facilitate pedestrian movement.
 - d. Where new lanes are provided, a minimum width of 8.0 metres is required to accommodate appropriate vehicular and active transportation access.

Vehicle Access, Loading and Servicing

- 10E.1.42.** Vehicle access points and loading and servicing areas shall be appropriately located and screened from public view, and shall be developed in accordance with the following policies:
- a. Wherever possible, vehicular access to on-site parking, loading, and servicing facilities shall be provided from side streets and rear lanes, and not from Princess Street.
 - b. Loading and service areas will be screened from prominent public areas and adjacent residential areas.
 - c. Service and drop-off area circulation shall not interfere with accessible pedestrian circulation.
 - d. Servicing and loading areas should be located in a coordinated manner within buildings rather than in adjacent structures or in outdoor areas. Garbage, loading, servicing, and utility functions should be integrated either adjacent to, or within the interior of a building at the rear whenever possible, with access from a rear lane or side street.
 - e. The number of curb cuts shall be reduced along Princess Street, wherever possible. This will increase opportunities for landscaping treatments and street furnishings, while creating continuity and providing safety to the pedestrian environment. New curb cuts are not recommended for *developments* fronting onto Princess Street. All such *developments* should be accessed by existing rear lanes, new rear lanes, side streets, or adjacent properties.

Servicing Capacity

- 10E.1.43.** The review of a proposed *development* in Williamsville will ensure that the *development* does not compromise the servicing capacity of the area and/or hinder the development of other properties by limiting their access to servicing capacity. The Zoning By-Law may use a holding symbol to ensure the availability of servicing and may contain a maximum density provision to protect the full build out of this area.

The purpose of this density limit is to support the distribution of servicing capacity throughout the corridor, and to ensure that individual projects are not able to claim servicing capacity such that development of adjacent lands would be prohibited or unduly impacted. The limits are included in the zoning provisions to ensure that staff have the ability to recommend variances where appropriate. This is because residential densities measured in units per hectare are not an exact science, and the specific

configuration of a building can greatly impact the calculation. The intent is to ensure that density limits support the appropriate build-out of the corridor without an undue focus on the specific number.

Parkettes

10E.1.44. In addition to parks within walking distance of the Williamsville Main Street, such as Victoria Park and the Memorial Centre, future development plans for the main street area are encouraged to include small urban parkettes. As *intensification* occurs, and more people live and work in the area, it is important that the main street be supported by new open spaces that allow residents access to outdoor space, that improve the pedestrian experience of the streetscape, that provide green landscaping where possible, and that bring people to the area.

- a. Parkettes are intended to be small in size, to accommodate intense and all-season uses, and to contain hardscape surfaces and elements, such as sitting areas and public art, and adequate soft landscape planting amenities.
- b. Where publicly accessible open space is required as part of the *development* of private property, this open space would need to be secured through parkland dedication, donation, acquisition, or a combination of these methods.
- c. Parkette features should reinforce the urban street edge and the parkette should be configured to allow for the functional design and placement of public amenities, such as street trees or benches.
- d. The final decision on the design of a parkette, and the facilities or amenities to be included in a parkette, shall be made by the City.

Green Streets

10E.1.45. Green streets are defined as tree-lined corridors that create important visual links and enhance active transportation connections between areas within and surrounding the Williamsville Main Street. The City will continue to explore options for green streets treatments with consideration of the priorities for specific locations within the Williamsville Main Street Study.

By-Law Number 2020-XX

A By-Law to Amend By-Law Number 8499, “Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston” (Zone Changes to the Williamsville Main Street Commercial Zone “C4”)

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 19 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject sites from “C” to “C4-H (T1)”, as shown on Schedule “A” attached to and forming part of By-Law Number 2020-XX.
 - 1.2. Map 19 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject sites from “B3” to “C4-H (T1)”, as shown on Schedule “B” attached to and forming part of By-Law Number 2020-XX.
 - 1.3. Map 30 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject sites from “A” to “C4-H (T1)”, as shown on Schedule “C” attached to and forming part of By-Law Number 2020-XX.
 - 1.4. Map 30 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject sites from “A” to “C4-H (T1)”, as

shown on Schedule “D” attached to and forming part of By-Law Number 2020-XX.

- 1.5. Map 19 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject sites from “A” to “C4-H (T1)”, as shown on Schedule “E” attached to and forming part of By-Law Number 2020-XX.
 - 1.6. Map 20 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject sites from “A” to “C4-H (T1)”, as shown on Schedule “F” attached to and forming part of By-Law Number 2020-XX.
 - 1.7. Map 20 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject sites from “C1” to “C4-H (T1)”, as shown on Schedule “G” attached to and forming part of By-Law Number 2020-XX.
 - 1.8. Map 20 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject sites from “B3” to “C4-H (T1)”, as shown on Schedule “H” attached to and forming part of By-Law Number 2020-XX.
 - 1.9. **Add** a new Schedule “O”, entitled “Williamsville Main Street”, as shown on Schedule ‘I’ to By-Law Number 2020-XX.
 - 1.10. Map 19 of Schedule “A” as amended, is hereby further amended by changing the zone symbol of the subject sites from “C.188” to “C4-H (T1)”, as shown on Schedule “J” attached to and forming part of By-Law Number 2020-XX.
 - 1.11. **Delete** Section 23C, General Provisions for the Williamsville Main Street Commercial Zone “C4” in its entirety and **replace** it with a new Section 23C, General Provisions for the Williamsville Main Street Commercial Zone “C4” as shown on Schedule ‘K’ to By-Law Number 2020-XX.
2. That this by-law shall come into force in accordance with the provisions of the *Planning Act*.

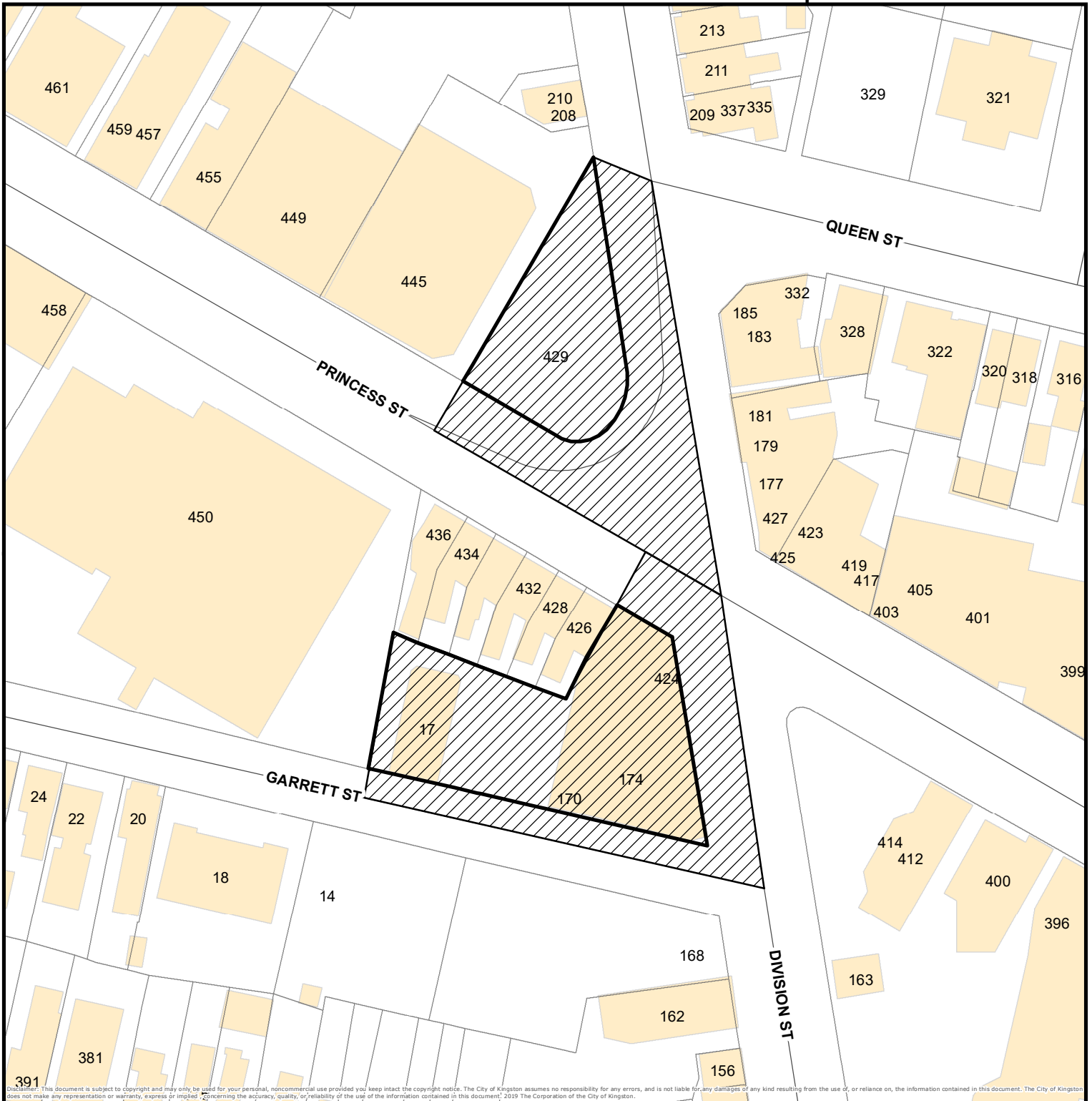
Given all Three Readings and Passed: [Meeting Date]

John Bolognone

City Clerk

Bryan Paterson

Mayor



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
Planning Services
a department of
Community
Services

SCHEDULE 'A' TO BY-LAW NUMBER

File Number: D35-003-2020
Addresses: 424, 429 Princess St;
170, 174 Division St; 17 Garrett St

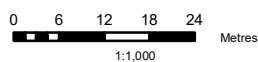
Legend

Reference By-Law 8499, Map 19

 Rezoned from C to C4-H (T1)

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____,
passed this _____ day of _____ 2020.



Mayor

Clerk



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Community
Services

**SCHEDULE 'B'
TO BY-LAW NUMBER**

File Number: D35-003-2020
Addresses: 192, 196, 198, 210 Colborne St

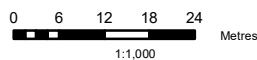
Legend

Reference By-Law 8499, Map 19

Rezoned from B3 to C4-H (T1)

Certificate of Authentication

This is Schedule 'B' to By-Law Number _____,
passed this _____ day of _____ 2020.



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Clerk



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**SCHEDULE 'C'
TO BY-LAW NUMBER**

File Number: D35-003-2020
Address: 562 Princess St

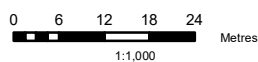
Legend

Reference By-Law 8499, Map 30

Rezoned from A to C4-H (T1)

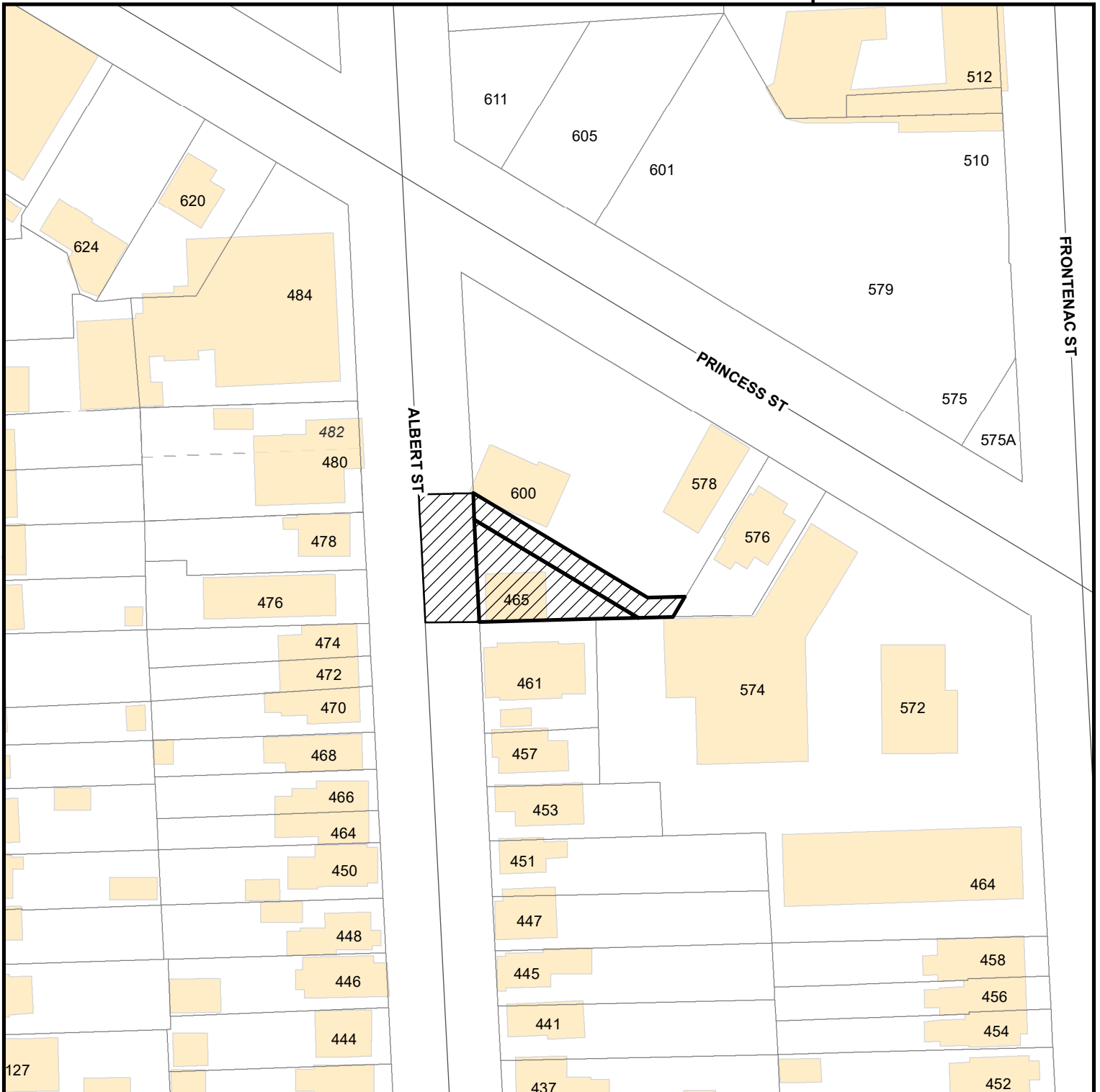
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This is Schedule 'C' to By-Law Number _____,
passed this _____ day of _____ 2020.



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Clerk



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SCHEDULE 'D' TO BY-LAW NUMBER

File Number: D35-003-2020
Address: 465 Princess St

Legend

Reference By-Law 8499, Map 30

 Rezoned from A to C4-H (T1)

Certificate of Authentication

This is Schedule 'D' to By-Law Number _____,
passed this _____ day of _____ 2020.



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**SCHEDULE 'E'
TO BY-LAW NUMBER**

File Number: D35-003-2020
Addresses: 508, 510, 512, 514, 516 Albert St

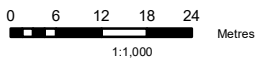
Legend

Reference By-Law 8499, Map 19

Rezoned from A to C4-H (T1)

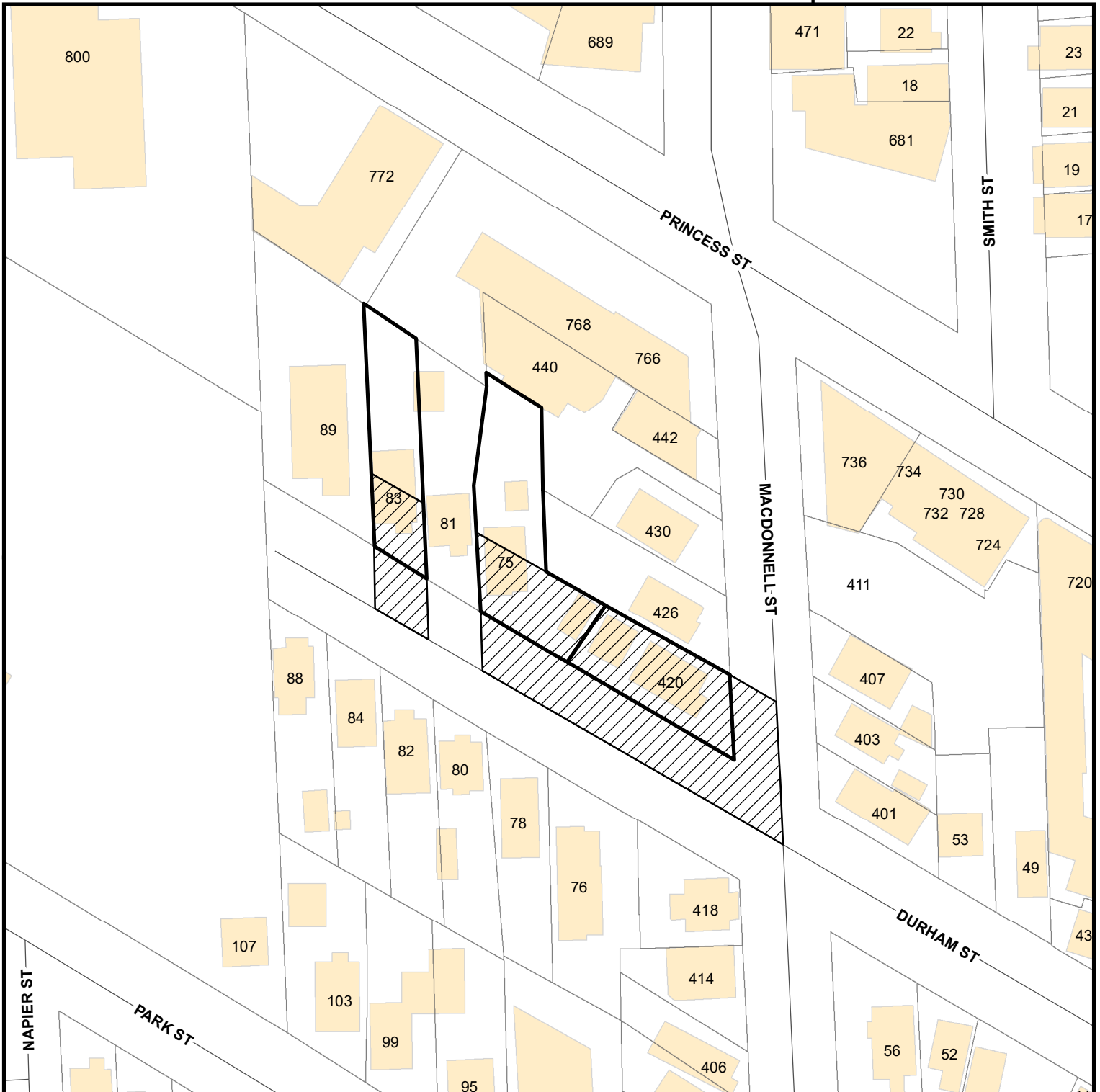
Certificate of Authentication

This is Schedule 'E' to By-Law Number _____,
passed this _____ day of _____ 2020.



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**SCHEDULE 'F'
TO BY-LAW NUMBER**

File Number: D35-003-2020
Addresses: 73, 83 Durham St;
420 MacDonnell St

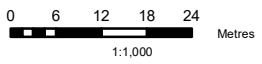
Legend

Reference By-Law 8499, Map 20

 Rezoned from A to C4-H (T1)

Certificate of Authentication

This is Schedule 'F' to By-Law Number _____,
passed this _____ day of _____ 2020.



Mayor

Clerk



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**SCHEDULE 'G'
TO BY-LAW NUMBER**

File Number: D35-003-2020
Addresses: 474, 480 MacDonnell St;
689 Princess St

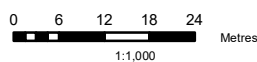
Legend

Reference By-Law 8499, Map 20

Rezoned from C1 to C4-H (T1)

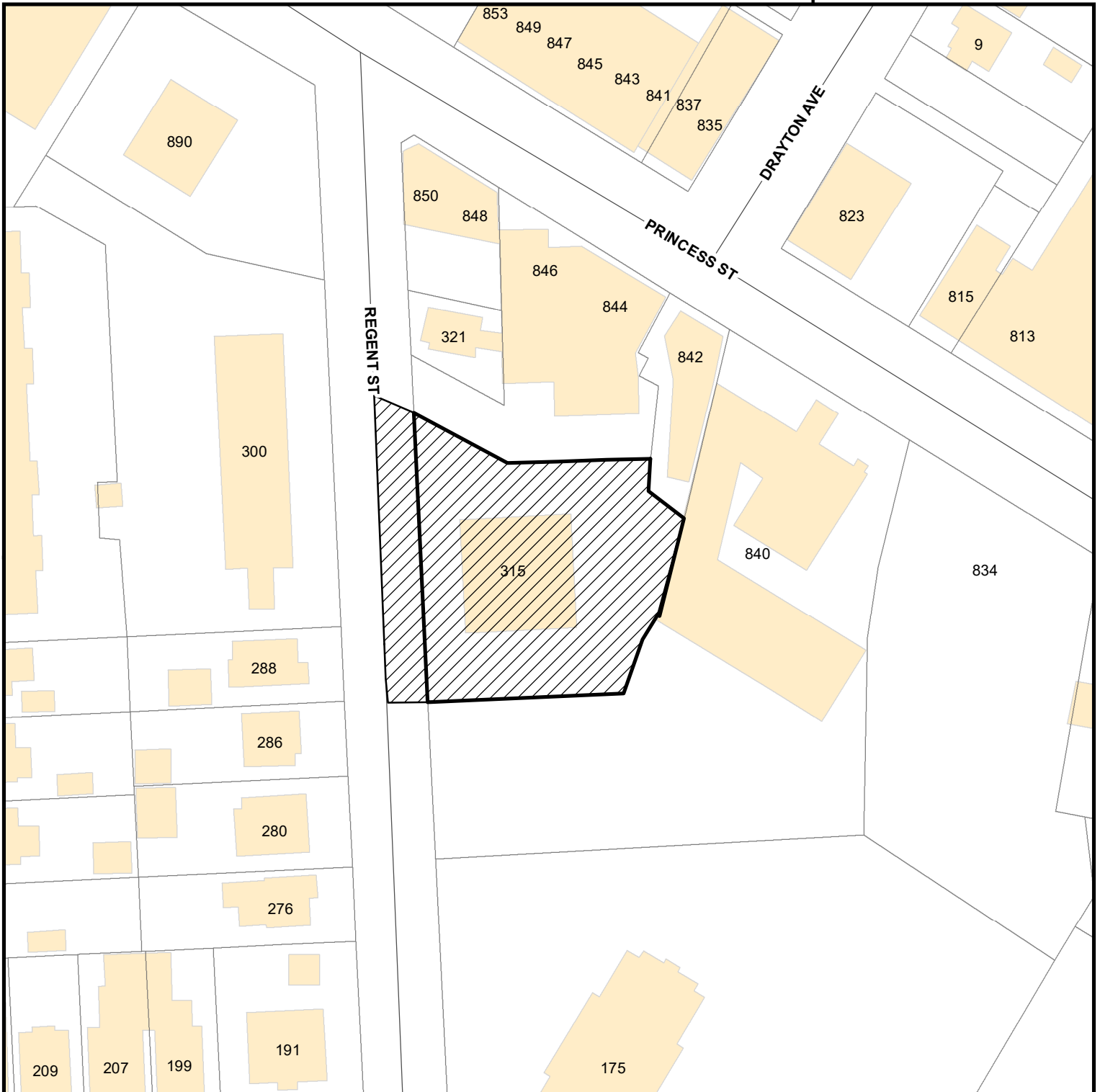
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This is Schedule 'G' to By-Law Number _____,
passed this _____ day of _____ 2020.



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SCHEDULE 'H' TO BY-LAW NUMBER

File Number: D35-003-2020
Address: 315 Regent St

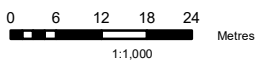
Legend

Reference By-Law 8499, Map 20

 Rezoned from B3 to C4-H (T1)

Certificate of Authentication

This is Schedule 'H' to By-Law Number _____,
passed this _____ day of _____ 2020.



Mayor

Clerk



LEGEND

REQUIRED GROUND FLOOR COMMERCIAL ALONG PRINCESS STREET FRONTAGE

BUILDING HEIGHTS

MAXIMUM HEIGHT THE LESSER OF 20 METRES OR 6 STOREYS

TOWER PERMITTED - MAXIMUM HEIGHT THE LESSER OF 61.5 METRES OR 20 STOREYS



THE CORPORATION OF THE CITY OF KINGSTON

SCHEDULE 'I' TO BY-LAW

File Number: D35-003-2020
Location: Williamsville Main Street-
Princess Street from Division Street
to Bath Road

Legend:

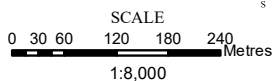
SCHEDULE "O" TO ZONING BY-LAW
NUMBER 8499 - WILLIAMSVILLE MAIN
STREET

Planning Services

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Community
Services

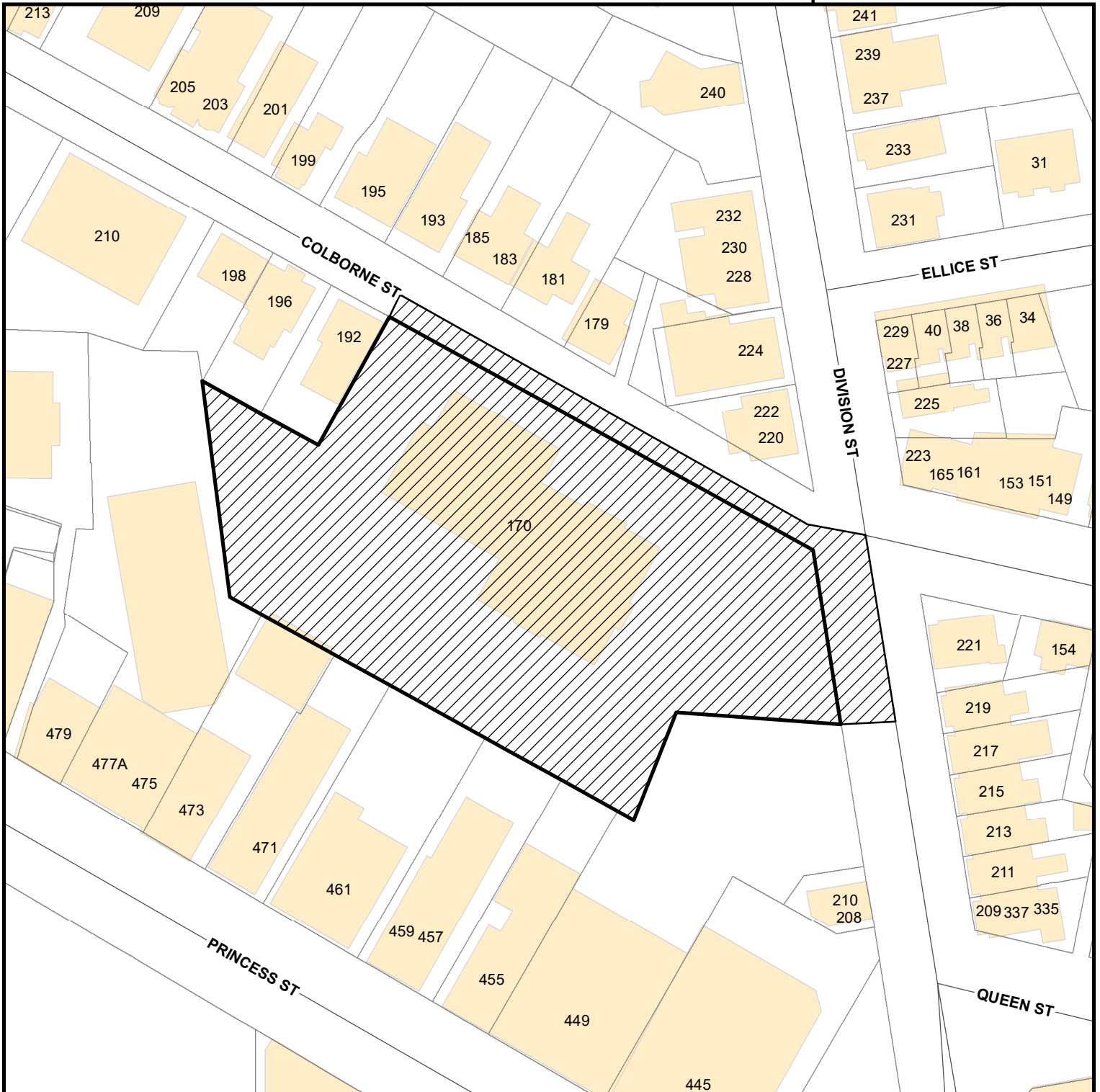
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This is Schedule 'I' to By-Law No. _____
passed this _____ day of _____ 2020



Mayor

Clerk



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SCHEDULE 'J' TO BY-LAW NUMBER

File Number: D35-003-2020
Address: 170 Colborne St

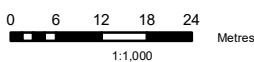
Legend

Reference By-Law 8499, Map 19

 Rezoned from C.188 to C4-H (T1)

Certificate of Authentication

This is Schedule 'J' to By-Law Number _____,
passed this _____ day of _____ 2020.



Mayor

Clerk

Schedule K to By-Law Number 2020-XXX Amendment to Zoning By-Law Number 8499

Section 23C General Provisions for the Williamsville Main Street Commercial Zone “C4”

23C.1 Subject to compliance with the provisions of Section 5, where applicable, the following provisions shall apply in the C4 Zone.

23C.2 Permitted Uses – The following uses only shall be permitted in the C4 Zone:

- (a) libraries, art galleries and museums;
- (b) churches, community halls, community centres and parish halls;
- (c) offices and ancillary uses associated with not-for-profit and social service agencies; offices for or in connection with businesses or professions; offices for printing and publishing; for clarity this includes co-working spaces;
- (d) artisans’ workshops and creativity centres;
- (e) hospitals, clinics, pharmacies, and medical laboratories;
- (f) retail stores or shops, markets, and bakeries;
- (g) undertakers' establishments;
- (h) banks and credit unions;
- (i) hotels, bars and restaurants, including take-out restaurants;
- (j) multiple family dwellings; row dwellings; supportive housing and special needs housing, including community homes, crisis care shelters, residential care facilities, recovery homes, group homes, and community support houses; co-operative living spaces;
- (k) laundromat and dry cleaners;
- (l) theatres, bowling alleys, pool and billiard halls, places of amusement, and private clubs;
- (m) recreational uses, including fitness centres/clubs;

- (n) commercial schools;
- (o) day care centres;
- (p) personal service shops;
- (q) accessory buildings, subject to the provisions of Section 23C.4(m).

23C.3 Definitions – The following definitions shall apply to lands, buildings or structures in the C4 Zone:

- (a) **Amenity Area** means the area situated within the boundaries of any residential development site intended for recreational purposes, and may include landscaped open space, patios, private amenity areas, balconies, communal lounges, swimming pools, children’s play areas, and similar uses, but does not include any area occupied at grade by a building’s service areas, parking areas, parking aisles, or driveways.
- (b) **Balcony** means an unenclosed or partially enclosed platform that is attached to and only directly accessible from within a building. A balcony includes associated guards, fencing, walls, screening and other associated features.
- (c) **Building Frontage** means the building façade that fronts on a street line where access to the building is available.
- (d) **First Storey** means the storey with its floor level closest to finished grade and shall exclude any floor of a building that has a floor level located below finished grade.
- (e) **Lot Line** means a line delineating any legal boundary of a lot.
 - i. **Exterior Lot Line** means the lot line of a corner lot which abuts the street, other than a front lot line.
 - ii. **Front Lot Line** means, in the case of an interior lot, the lot line dividing the lot from the street. In the case of a corner lot, the lot line abutting Princess Street shall be deemed the front lot line and the lot line abutting the other street shall be deemed an exterior lot line. In the case of a corner lot that does not abut Princess Street, the shorter lot line shall be deemed the front lot line. In the case of a corner lot which is also a through lot, the front lot line shall be the lot line abutting Princess Street.

- iii. **Interior Lot Line** means a lot line, other than a rear lot line that does not abut a street and is generally perpendicular to the front lot line.
 - iv. **Rear Lot Line** means the lot line(s) that is generally opposite to, and most distant from, the front lot line. In the case of a lot with frontage on Princess Street, all lot lines that separate the lot from a zone outside of the C4 zone or another commercial zone shall be considered a rear lot line.
- (f) **Podium** means the base component of any building that is greater than 20 metres in height (excluding mechanical penthouses) and shall only include the first through sixth storeys of such a building.
- (g) **Setback** means the horizontal distance from the lot line to the nearest part of any building or structure on a lot.
- i. **Exterior Setback** means the setback between the exterior lot line and the nearest part of any building or structure on the lot required by this By-Law.
 - ii. **Front Setback** means the setback between the front lot line and the nearest part of any building or structure on the lot required by this By-Law. Where a corner lot includes a front lot line and exterior lot line that do not intersect at one point, the front setback shall be determined by measuring the hypothetical point of intersection of the extension of the front lot line and the extension of the exterior lot line.
 - iii. **Interior Setback** means the setback between the interior lot line and the nearest part of any building or structure on the lot required by this By-Law.
 - iv. **Rear Setback** means the setback between the rear lot line and the nearest part of any building or structure on the lot required by this By-Law.
- (h) **Stepback** means the horizontal distance from the exterior wall of a specified storey to the exterior wall of the storey immediately below it. The horizontal distance shall be measured in the direction that is opposite to the lot line, ensuring that the stepback moves towards the centre of the lot.
- (i) **Storey** means that portion of a building between the top of any floor and the top of the floor next above it, or between the top of the floor and the ceiling above the floor, if there is no floor above it. Mechanical

penthouses, green roofs, rooftop amenity areas and other similar rooftop elements shall not be considered a storey.

- (j) **Streetwall** means the nearest wall or nearest portion of a wall of a building to a street line.
- (k) **Streetwall Height** means the vertical distance between the top of the streetwall and the finished grade immediately adjacent to the streetwall.
- (l) **Tower** means any portion of any building that is greater than 20 metres in height (excluding mechanical penthouses), excluding a podium, below grade parking structures and a mechanical penthouse.

23C.4 Regulations – The following regulations shall apply to lands, buildings, or structures in the C4 Zone:

- (a) Height:
 - i. All buildings / structures shall have a maximum height of the lesser of 20 metres or 6 storeys, except where shown on Schedule “O”, where the maximum height shall be the lesser of 61.5 metres or 20 storeys.
 - ii. The minimum streetwall height for all buildings / structures shall be 10.5 metres.
 - iii. A minimum of 75 percent of a wall of the building which faces a street line shall be built to the required front setback for the height of the streetwall.
 - iv. Notwithstanding Section 5.14, the height of mechanical penthouses and other rooftop equipment and elements shall be permitted in accordance with the provisions of Sections 23C.4(g) and 23C.4(h).
 - v. Where a lot or building is located within two different height areas shown on Schedule “O”, each portion of such lot or building shall comply with the height restrictions applicable to such portion of the lot or building.
- (b) Setbacks and Stepbacks:
 - i. Setbacks and stepbacks are required in accordance with the following table:

Setbacks and Stepbacks	Minimum	Maximum
Front setback and exterior setback	3.0 metres	5.0 metres

(along Princess Street, Division Street, Concession Street or Bath Road) – first storey		
Front setback and exterior setback (along Princess Street, Division Street, Concession Street or Bath Road) – second, third and fourth storeys	2.0 metres	5.0 metres
Stepbacks where the building faces Princess Street, Division Street, Concession Street or Bath Road – fifth and six storeys	2.0 metres from the exterior wall of the fourth storey	Not applicable
Front setback and exterior setback (along all other streets) – first through fourth storeys	2.0 metres	5.0 metres
Stepbacks where the building faces all other streets – fifth and sixth storeys	2.0 metres from the exterior wall of the fourth storey	Not applicable
Interior setback (for a property fronting on Princess Street)	0.0 metres	Not applicable
Interior setback (for a property not fronting on Princess Street)	1.2 metres	Not applicable
Rear setback	8.0 metres	Not applicable

- (d) Maximum Lot Coverage: 70%
- (e) Projections into Required Setbacks:
 - i. The following regulations apply to balconies that project out from the face of a building/structure:
 - 1. Balconies are permitted above the fourth storey of a building façade that is facing a street line, to a maximum depth of 1.5 metres.
 - 2. Balconies are permitted above the second storey of a building façade adjacent to a lot line that is not a street line, to a maximum depth of 2.0 metres.
- (f) Ground Floor Conditions:
 - i. Buildings fronting on Princess Street are required to have ground floor commercial uses on the first storey where any portion of the lot aligns with the area identified as “Required Ground Floor

Commercial Along Princess Street Frontage” on Schedule “O” to this By-Law.

- ii. Where ground floor commercial uses are required, the entire street frontage of the first storey, excluding areas devoted to a lobby or other shared entrances/exits for other permitted uses, shall be occupied by commercial uses. Portions of the floor area of the first storey that do not have frontage on a public street may be occupied by uses that service the building such as loading spaces, waste management facilities and rooms, mechanical rooms, bicycle parking facilities and other similar uses.
 - iii. The first storey of a building / structure shall have a minimum floor to floor height of 4.5 metres.
 - iv. The height of the first storey of a building / structure shall be measured from finished grade to the level of the floor immediately above it.
- (g) Mechanical Penthouses and Other Rooftop Mechanical Equipment:
- i. Notwithstanding Section 5.14, mechanical penthouses shall be permitted to exceed the maximum allowable building height by up to 3.5 metres.
 - ii. Mechanical penthouses shall not exceed 10 percent of the roof area on which they are located.
 - iii. Mechanical penthouses and other rooftop equipment shall be setback from the edge of the roof line a minimum distance equal to the height of the mechanical penthouse or other piece of rooftop mechanical equipment.
 - iv. Notwithstanding 23C.4(g)iii., enclosures dedicated only to stairs that are located at the end of a building shall be permitted within the required setback from the edge of a roof line.
- (h) Green Roofs and Other Rooftop Elements:
- i. Architectural appurtenances to support green roofs, other rooftop sustainability elements, or rooftop amenity spaces shall be permitted to exceed the maximum allowable building height by up to 3.5 metres.
- (i) Tower Conditions:

- i. Maximum Tower Floor Plate: Where a tower is permitted by Schedule “O” of this by-law, the maximum floor plate of the tower shall be 790 square metres. Tower floor plate shall include all areas enclosed within exterior walls, including hallways, elevators, stairs, mechanical shafts, etc.
 - ii. Tower separation: Where a tower is permitted by Schedule “O” of this by-law, it shall be separated from any other tower by a minimum distance of 25 metres and shall be located no closer than 12.5 metres from an adjacent property.
 - iii. Stepback: Where a tower is permitted by Schedule “O” of this by-law, it shall be setback from the podium by a minimum distance of 2.0 metres.
 - iv. Notwithstanding 23C.4(h)(ii), where an adjacent property has already been developed with a tower, the tower is permitted to be located closer than 12.5 metres to the lot line shared with that adjacent property so long as the 25 metre tower separation distance is maintained.
- (j) Parking Spaces
- i. Parking provisions shall be as set out in Section 5.3 of this Zoning By-Law, with the exception of the following provisions:
 - 1. Parking spaces shall not be permitted in a yard abutting a street line.
 - 2. Minimum number of residential parking spaces: 0.4 per dwelling unit.
 - 3. Maximum number of residential parking spaces: 1.0 per dwelling unit.
 - ii. Section 23C.4(j)(i)(1) shall not be construed to prohibit a reduction in the minimum number of parking spaces required if such reduction is authorized through a minor variance or rezoning in accordance with the Planning Act.
- (k) Maximum Residential Density

- i. The maximum residential density shall be 210 dwelling units per net hectare, except where a tower is permitted by 23C.4(2)(i), the maximum residential density of the tower and its podium shall be 480 dwelling units per net hectare.

(l) Loading Spaces

- i. Loading space provisions shall be as set out in Section 5.4 of this Zoning By-Law, with the exception of the following provisions:

- 1. Loading spaces shall not be permitted in a yard abutting a street line.

- 2. A minimum number of loading spaces shall be provided in accordance with the following table:

Land Use	Commercial Gross Floor Area / Residential Dwelling Units	Number of Required Loading Spaces
Commercial Uses	0-300 square metres	0
	Greater than 300 square metres to 2,500 square metres	1
	Greater than 2,500 square metres to 7,500 square metres	2
	Greater than 7,500 square metres	2 plus 1 for each additional 9,300 square metres beyond 7,500 square metres
Residential Uses	0-50 dwelling units	0
	51-399 dwelling units	1
	Greater than 400 dwelling units	2

(m) Amenity Area:

- i. The amenity area provisions of Section 5.27 of this by-law apply.
- ii. Notwithstanding Section 5.27(a), a minimum of 10 square metres of amenity area shall be provided for each dwelling unit on a lot.

(n) Accessory Buildings:

- i. Maximum Height: 4.6 metres

- ii. Maximum Lot Coverage: 10% of lot area
 - iii. Location: Detached accessory buildings shall be located:
 - 1. In an interior side yard or rear yard;
 - 2. A minimum of 1.2 metres from a lot line;
 - 3. Not closer to the street than the front of the main building;
and,
 - 4. Not closer to the street than the side of the main building on a corner lot.
- (o) Transition Clause:
- i. Nothing in this By-Law shall prevent the development or use of a lot or one or more buildings or structures for which a complete application for a building permit was received by the City on or before (date of passing of this By-Law), if the development or use complies, or the building permit application is amended to comply, with the applicable former provisions of Zoning By-Law Number 8499 as it was read immediately prior to the passing of this By-Law.
 - ii. Where a complete application was received by the City on or before the date of passing of this By-Law for the development or use of a lot or one or more buildings or structures, approval may be granted, if deemed appropriate, in the context of the applicable former provisions of Zoning By-Law Number 8499 as it was read immediately prior to the passing of this By-Law, for one or more of the following applications:
 - 1. minor variances pursuant to Section 45 of the Planning Act;
 - 2. site plan control approval pursuant to Section 41 of the Planning Act;
 - 3. consent pursuant to Section 53 of the Planning Act;
 - 4. draft plan of subdivision approval or draft plan of condominium approval pursuant to Section 51 of the Planning Act;
 - 5. payment in lieu of parking agreement pursuant to Section 40 of the Planning Act; and

6. a part lot control exemption approval pursuant to Section 50 of the Planning Act.
- iii. Where the development or use of a lot or one or more buildings or structures qualifies under Section 23C.4(o)ii., a building permit may be issued after final approval is received for all required applications and if the development or use complies, or the building permit application for the development or use is amended to comply, with the provisions of the applicable former general zoning by-law as it was read immediately prior to the passing of this By-Law.
- iv. Nothing in this By-Law applies so as to continue the exemption provided by Section 23C.4(o) beyond the issuance of the final building permit upon which the exemptions are founded.
- v. Section 23C.4(o) shall be repealed in its entirety three years after the date of passing of this By-Law.

23C.5 Holding Symbol:

- (a) Purpose and Requirement for Removal of Holding Symbol:
 - i. The use and removal of the “-H” Holding Symbol shall be in accordance with the provisions of Section 5.39.
 - ii. Redevelopment of lands shall not proceed until the City is satisfied that there is adequate servicing capacity (i.e. water, wastewater, natural gas, and electrical) for the proposed development.
- (b) Permitted Interim Uses:
 - i. In accordance with Section 23C.2, provided the use occurs within the walls of a building / structure that existed on the date of the passage of this by-law.

23C.6 Temporary Use:

(T1) Williamsville Main Street

Expires: December 18, 2021 of By-Law Number 2019-6

The lands to which By-Law Number 2019-6 applies may be used for the following uses, in addition to those uses permitted in Section 23C.2:

- (a) Permitted Uses

- i. Surface parking lot