

By-Law Number 2021-XXX

A By-Law To Amend The City Of Kingston Official Plan (Amendment Number 72, 2274 Princess Street)

Passed: [Meeting Date]

Whereas a Public Meeting was held regarding this amendment on January 14, 2021;

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 72 to the Official Plan for the City of Kingston:
 - (a) **Amend** Schedule ‘CN-1’, ‘Catarauqui North Secondary Plan’, of the City of Kingston Official Plan, so as to re-designate a portion of the property located at 2274 Princess Street, as shown on Schedule ‘A’ to By-Law Number 2021-____, from ‘Arterial Commercial’ to ‘Residential’; and
 - (b) **Amend** Schedule ‘3-D’, ‘Site Specific Policies’, of the City of Kingston Official Plan, so as to designate a portion of the property located at 2274 Princess Street, as shown on Schedule ‘B’ to By-Law Number 2021-____, as ‘Site Specific Policy Area Number 67’.
2. That the City of Kingston Official Plan, as amended, be further amended by adding the following new Site-Specific Policy as Section 3.17.67:

“2274 Princess Street, Schedule 3-D, SSP Number 67

3.17.67 The lands shown on Schedule 3-D as SSP Area Number 67 are subject to a maximum residential density of 134 units per net hectare.

It is recognized that the lands shown on Schedule 3-D as SSP Area Number 67 form an irregularly shaped parcel. The implementing zoning by-law and site plan control process shall be used to work within the limitations of the parcel to orient the building to the street to the greatest extent possible and to enhance the streetscape.”

3. 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the conclusion of which, this By-Law shall be deemed to have come into force and take effect on the day the appeals are withdrawn or dismissed, as the case may be.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



Planning
Services

Schedule 'A' to By-Law Number Official Plan Amendment Number 72

Address: 2274 Princess Street
File Number: D35-007-2020

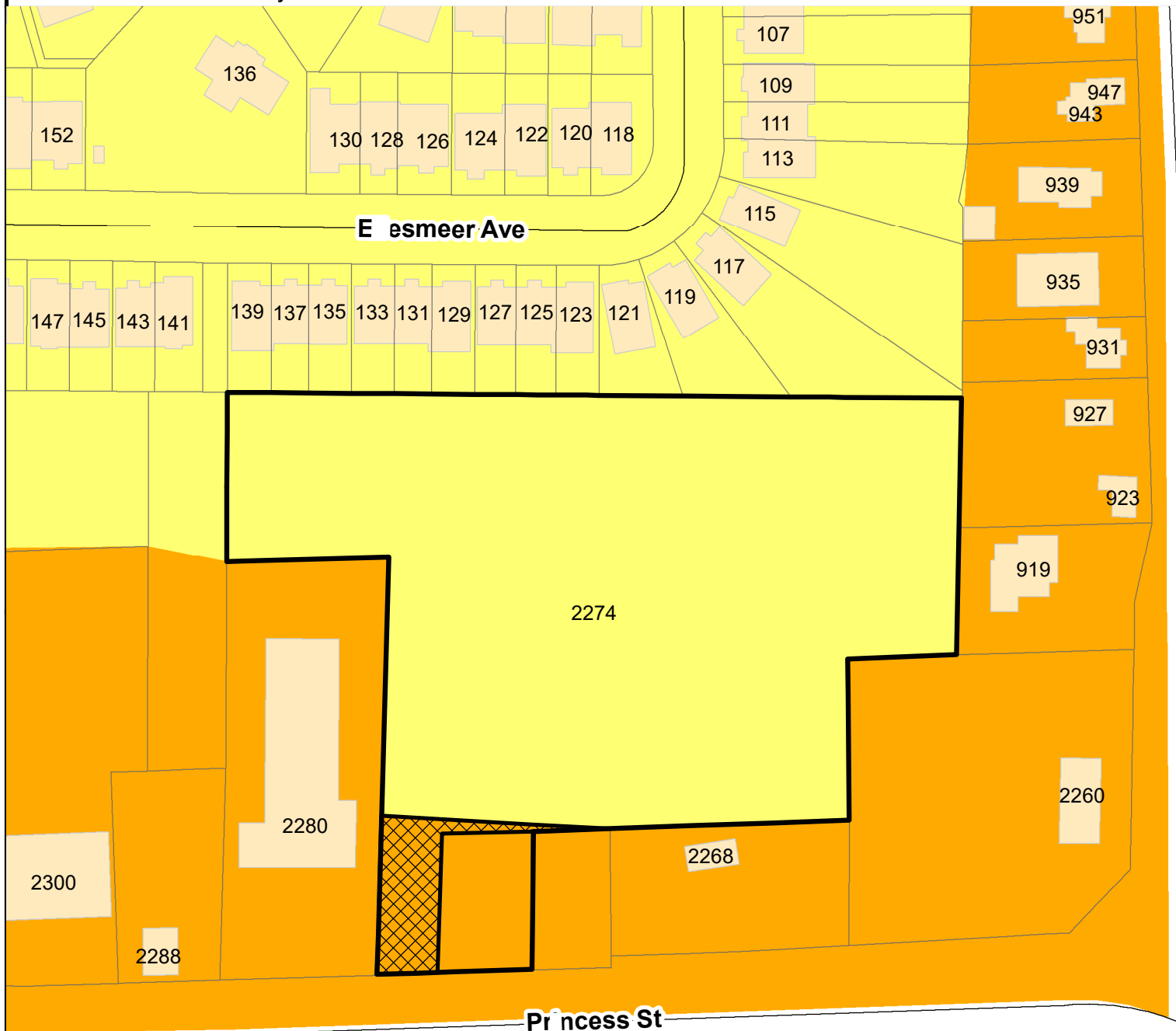
Official Plan Schedule CN-1

Redesignated Lands from
Arterial Commercial to Residential

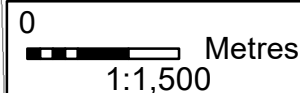
Certificate of Authentication

This is Schedule 'A' to By-Law Number _____, passed this _____ day of _____ 2021.

Mayor Clerk



See Schedule 3-A





**Schedule 'B' to By-Law Number
Official Plan Amendment Number 72**

Address: 2274 Princess Street
File Number: D35-007-2020

Official Plan Schedule 3-D

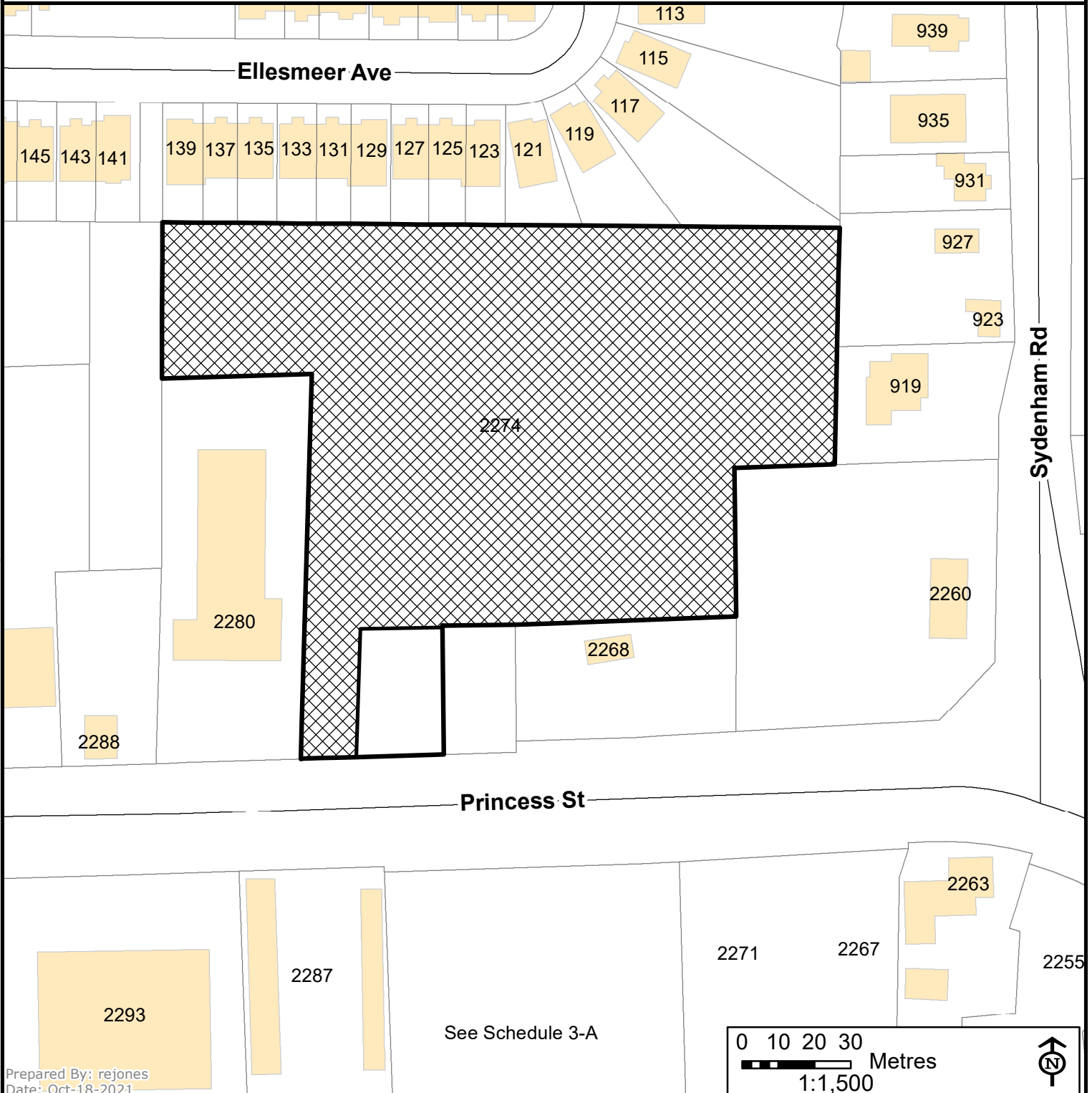
Lands Subject to Site Specific
Policy Number (no. 67)

Certificate of Authentication

This is Schedule 'B' to By-Law Number _____, passed this _____ day of _____ 2021.

Mayor

Clerk



Prepared By: rejoncs
Date: Oct-18-2021

By-Law Number 2021-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 Special Holding General Commercial ‘C2-1-H’ Zone and Development ‘D’ Zone to Special Residential Type 5 ‘R5-25-H’ Zone, 2274 Princess Street)

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 3 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of portions of the subject site from ‘C2-1-H’ and ‘D’ to ‘R5-25-H’, as shown on Schedule “A” attached to and forming part of By-Law Number 2021-____.
 - 1.2. By adding a new subsection 15A(2)(y) thereto as follows:

“(y) **R5-25-H (2274 Princess Street)**

Notwithstanding the provisions of Section 5, Section 15A and Schedule “C” hereof to the contrary, on the lands designated ‘R5-25-H’ on Schedule ‘A’ hereto, the following regulations shall apply:

1. Lot Area (minimum): 74 square metres per dwelling unit
2. Lot Frontage (minimum): 16 metres
3. Rear Yard (minimum): 12.4 metres
4. Balconies:
 - (a) A balcony serving a dwelling unit on the north elevation shall not project past the wall of the main building, except for a Juliet balcony, which is comprised of a railing at the outer plane of a window-opening reaching the floor, and having, when the window is open, the appearance of a balcony.
 - (b) A balcony serving a dwelling unit on the east, south and west elevations may project not more than 2.5 metres out from the main building into a required yard.
5. The minimum yard setbacks shall be subject to a maximum 5% variance in dimensions
6. Dwelling Unit Area (minimum): 1 Bedroom: 40 square metres
7. Maximum Building Height:
 - (a) No part of the building shall exceed the height limits (in metres) as shown on Schedule 'B' attached to and forming part of By-Law 2021-_____
 - (b) Height shall be measured from the finished floor grade of 96.34 metres geodetic datum
 - (c) The height provisions of the R5-25 zone do not prevent the erection of window washing equipment, lighting fixtures, ornamental elements, lightning rods, parapets, trellises, eaves, guardrails, balustrades, railings, stairs, stair enclosures, wheelchair ramps, vents, ventilating equipment, landscape and green roof elements, solar panels, partitions dividing outdoor recreation areas, wind mitigation, chimney stack, exhaust flues, garbage chute overrun and public art elements, mechanical penthouses, and architectural elements.
8. Privacy Yards (minimum): a privacy yard, clear and unobstructed by any parking area or any vehicular driveway shall be provided adjoining each habitable room window of every dwelling unit with a minimum depth measured at right angles from such wall it adjoins in accordance with the following:
 - (a) Parking Area or Vehicular Driveway:
 - i. Ground Floor Living Room Window: 3.4 metres, 2.0 metres to a bicycle rack
 - ii. Ground Floor Habitable Room Window: 3.4 metres, 2.0 metres to a bicycle rack
 - (b) Pedestrian Access Surface:
 - i. Within a privacy yard, an area unobstructed by a pedestrian access shall be provided extending at least 3.4 metres from any ground floor window and at least 2.0 metres to a bicycle rack, this distance

measured radially from any point on the window. However, this shall not apply to that portion of a pedestrian access leading directly from a building entrance or to hardscaped areas within a courtyard. A window shall be considered to be located on the ground floor if any portion of the glazing is less than 2.5 metres above the adjacent exterior ground level.

9. Off-Street Vehicle Parking:
 - (a) A minimum parking ratio of 1.1 parking spaces per dwelling unit is required
 - (b) Surface parking spaces shall have minimum dimensions of 2.6 metres wide by 5.2 metres long
 - (c) Indoor garage parking spaces shall have minimum dimensions of 2.6 metres wide by 5.9 metres long
 - (d) Aisle width shall have a minimum dimension of 6.0 metres
 - (e) For a double-loaded drive aisle, the combined dimension of parking space lengths and aisle width shall be a minimum of 16.4 metres
 - (f) For a single-loaded drive aisle, the combined dimension of a parking space length and aisle width shall be a minimum of 11.2 metres
10. Off-Street Bicycle Parking (minimum): 12 outdoor spaces and 27 indoor spaces located in underground parking garage.
11. Accessible Parking Vertical Clearance (minimum): 2.1 metres, where spaces provided indoors
12. Yards Where Parking Is Permitted: Parking is permitted in the front yard and side yard within 0.6 metres of the front yard or side yard lot line. Parking is also permitted in that portion of the rear yard west of the building but no closer than 6 metres to the rear lot line.
13. Fencing: A solid wooden fence with a height of 2.4 metres shall be located on the lands zoned R5-25 in the following locations:
 - (a) Along the full width of the rear property line;
 - (b) Where they abut properties that are included on the Municipal Heritage Register; and
 - (c) Where the property abuts Block 11 of Registered Plan 13M-39
14. Planting Strip Width (minimum): A planting strip with a minimum width of 3 metres and comprised of a mix of deciduous and coniferous native species of trees and shrubs shall be located:
 - (a) Along the entire rear of the property, south of the required fencing; and
 - (b) Where the lands abut properties that are included on the Municipal Heritage Register, west of the required fencing
15. 'H' Holding Symbol Provisions - In addition to the provisions of Section 6(6) of this By-Law respecting the use and removal of '-H'

Symbols, the following shall be provided prior to the removal of the 'H' Symbol:

- (a) a memorandum from Utilities Kingston indicating that the Days Road Pumping Station project has reached substantial completion and that development may proceed under the regulations of the R5-25 zone; from a sanitary servicing capacity perspective,
- (b) An access easement over the abutting lands known municipally as 2260 Princess Street is designed, approved and registered to the satisfaction of the Municipality; and
- (c) An updated servicing report respecting fire flows is submitted and reviewed to the satisfaction of Utilities Kingston and the Municipality.”

- 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 Services

**Schedule 'A'
to By-Law Number**

Address: 2274 Princess Street
File Number: D35-007-2020

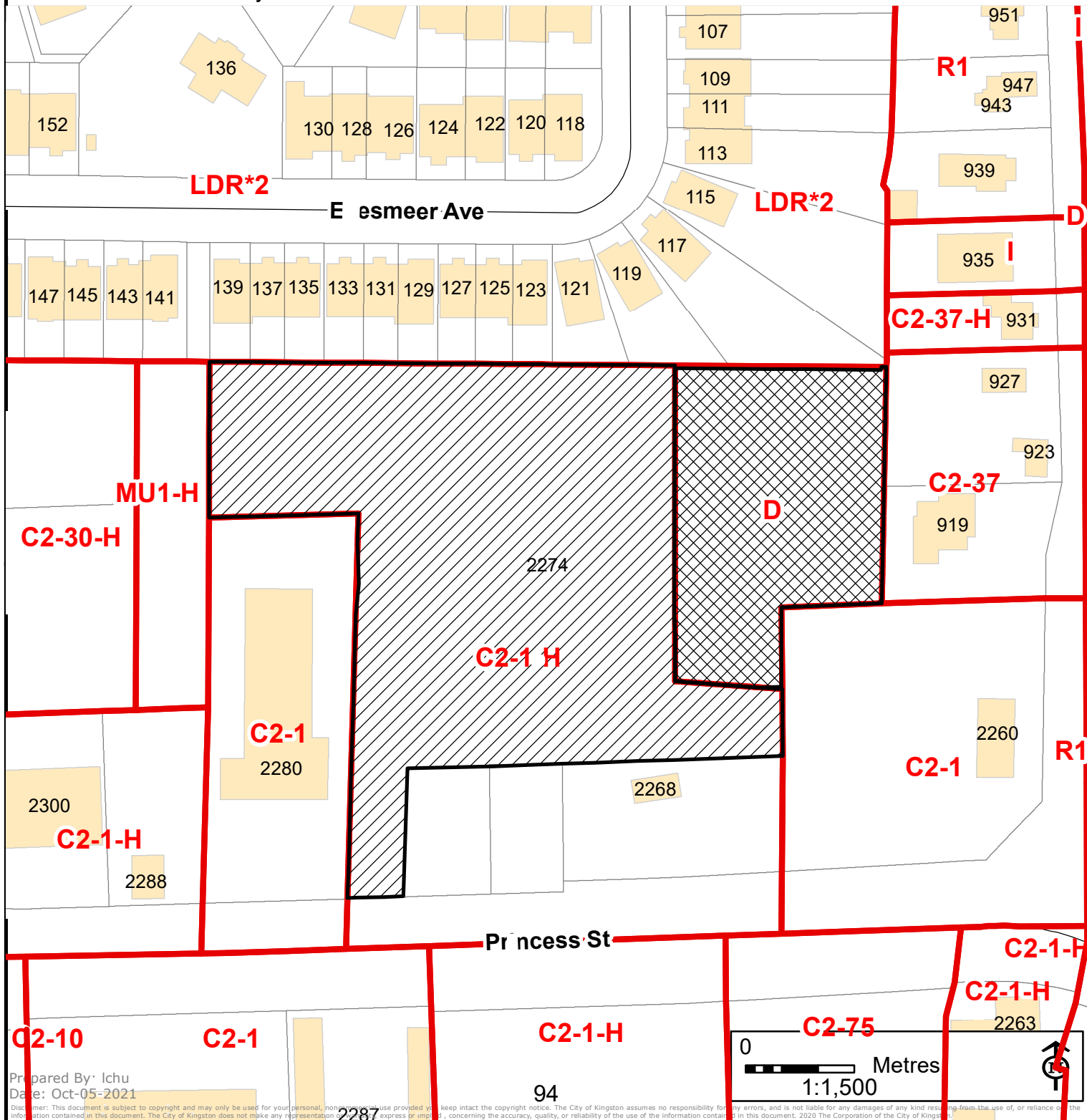
Reference By-Law 76-26, Map 3

-  Rezoned from D to R5-25-H
-  Rezoned from C2-1-H to R5-25-H

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____, passed this _____ day of _____ 2021.

Mayor Clerk





**Schedule 'B'
to By-Law Number**

Reference By-Law 76-26, Map 3

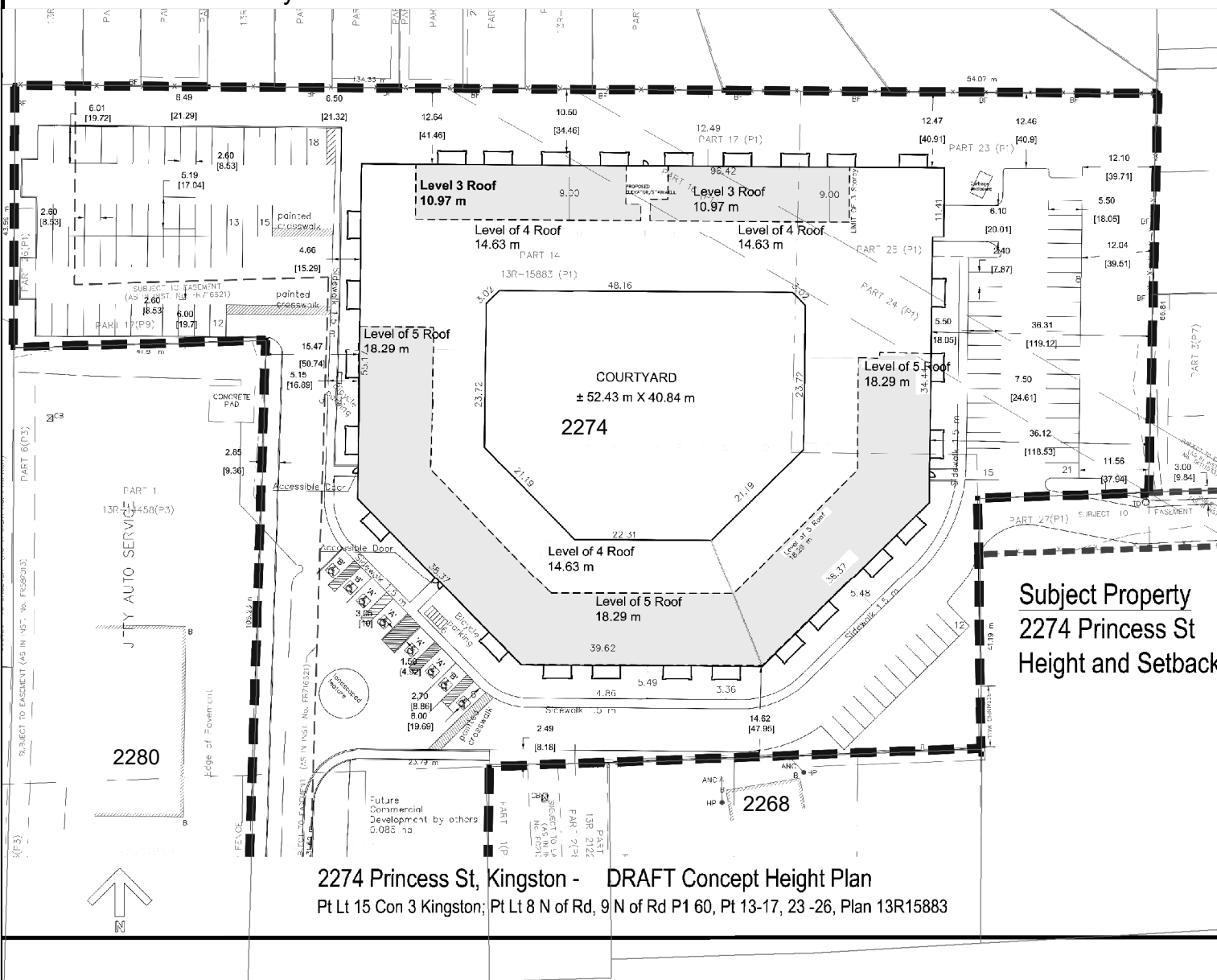
Address: 2274 Princess Street
File Number: D35-007-2020

Certificate of Authentication

This is Schedule 'B' to By-Law Number _____, passed this _____ day of _____ 2021.

Mayor

Clerk



**Subject Property
2274 Princess St
Height and Setback**

2274 Princess St, Kingston - DRAFT Concept Height Plan
Pt Lt 15 Con 3 Kingston; Pt Lt 8 N of Rd, 9 N of Rd P1 60, Pt 13-17, 23-26, Plan 13R15883

Princess St

