

By-Law Number 2023-XX

A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Removal of Legacy Exception ‘L294’, Introduction of Exception Number ‘E138’ and Introduction of Holding Overlay ‘H230’ (1329, 1343, 1347, 1375 and 1393 Gardiners Road and 561 Macrow Street))

Passed: [Meeting Date]

Whereas the Council of The Corporation of the City of Kingston enacted By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (the “Kingston Zoning By-Law”);

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend the Kingston Zoning By-Law;

Therefore be it resolved that the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 2022-62 of The Corporation of the City of Kingston, entitled “Kingston Zoning By-Law Number 2022-62”, is amended as follows:
 - 1.1. Schedule E – Exception Overlay is amended to remove Legacy Exception L294 and to add Exception Number E138, as shown on Schedule “A” attached to and forming part of this By-Law.
 - 1.2. Schedule F – Holding Overlay is amended by adding Holding Overlay H230, as shown on Schedule “B” attached to and forming part of this By-Law.
 - 1.3. By adding the following Exception Number E138 in Section 21 – Exceptions, as follows:

“**E138.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

 - (a) The following **complementary uses** are permitted, up to a maximum of 49% of the total **gross floor area**, in the aggregate:
 - (i) **Animal Care**
 - (ii) **Animal Shelter**
 - (iii) **Banquet Hall**

- (iv) **Day Care Centre**
- (v) **Financial Institution**
- (vi) **Fitness Centre**
- (vii) **Laundry Store**
- (viii) **Personal Service Shop**
- (ix) **Place of Worship**
- (x) **Recreation Facility**
- (xi) **Restaurant**
- (xii) **Wellness Clinic**

- (b) The lands subject to this Exception are deemed to be one lot for the purposes of interpreting zoning provisions;
- (c) **Long-term bike spaces** are not required for **buildings** existing on the date of passing of this By-Law at 1329, 1343 and 1347 Gardiners Road;
- (d) **End-of-trip bike facilities for non-residential uses** are not required for **buildings** existing on the date of passing of this By-Law at 1329, 1343 and 1347 Gardiners Road;
- (e) Despite clause (b) of this By-Law, **bike space** requirements and **end-of-trip bike facility** requirements are calculated and provided for each new **building** as though they are on their own individual lot; and
- (f) A minimum of 6 loading spaces must be provided.”

1.4. By adding the following Holding Number H230 in Section 22 – Holding Conditions, as follows:

“**H230.** The Holding Overlay only applies to a **day care centre** or a **place of worship**. All other permitted **uses** are not subject to the Holding Overlay. Prior to the removal of the Holding Overlay, the following conditions must be satisfied:

- (a) The submission of a satisfactory noise impact study prepared by a qualified person as defined by the **City** and completed to the satisfaction of the **City** and which adheres to all applicable municipal and provincial requirements.”

2. This By-Law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting Date]

Janet Jaynes
City Clerk

Bryan Paterson
Mayor



Schedule 'A' to By-Law Number

Addresses: 1329, 1343, 1347, 1375 and
1383 Gardiners Rd. and 561 Macrow St
File Number: D14-012-2023

Kingston Zoning By-Law 2022-62 Schedule E - Exception Overlay

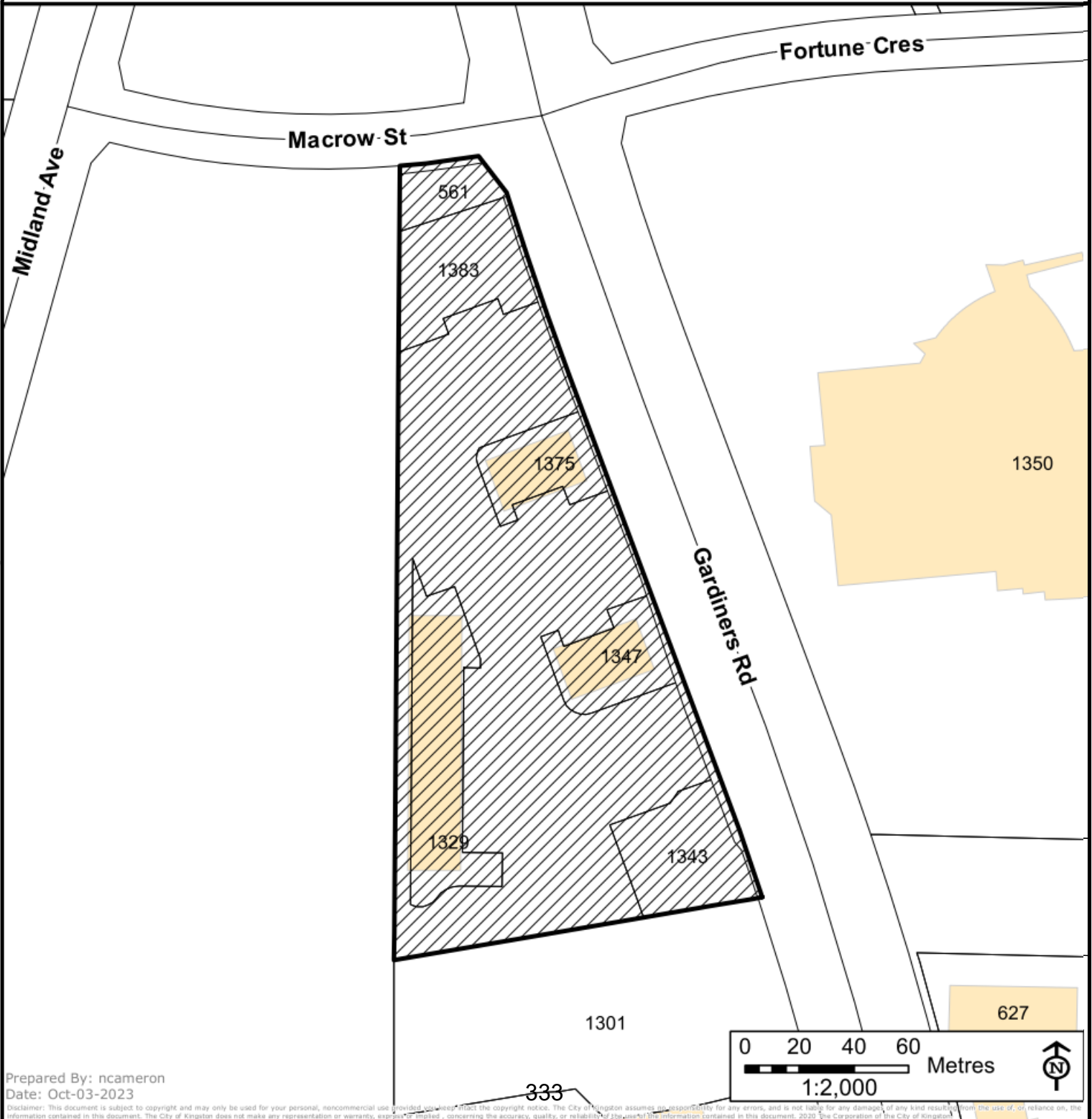
Schedule E Exception Number

Lands to be removed from L294 and added as E138

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____, passed this _____ day of _____ 2023.

Mayor Clerk






Schedule 'B' to By-Law Number

Addresses: 1329, 1343, 1347, 1375 and
1383 Gardiners Rd. and 561 Macrow St
File Number: D14-012-2023

Kingston Zoning By-Law 2022-62 Schedule F - Holding Overlay

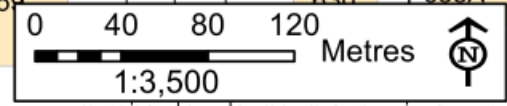
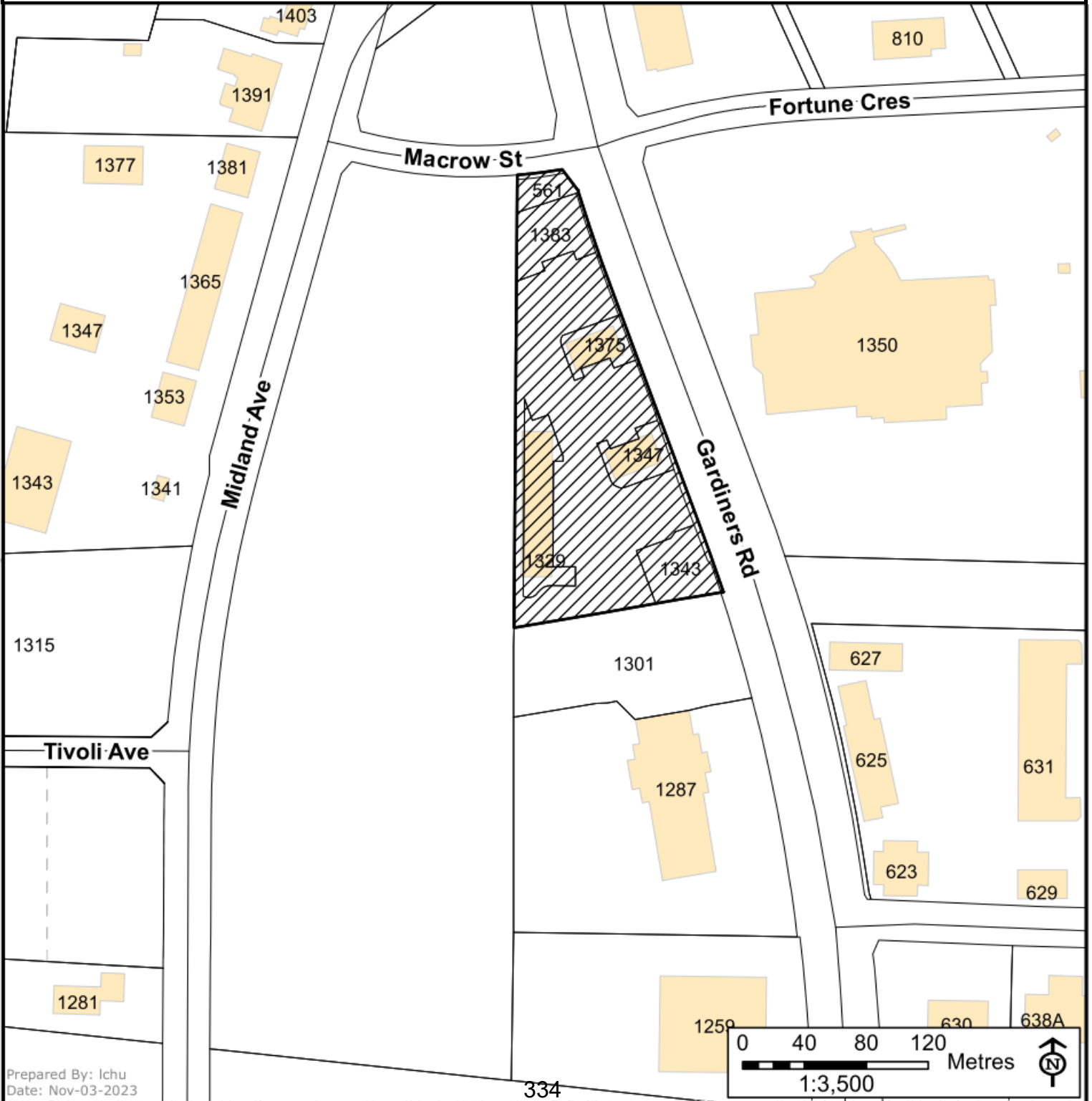
 Lands to be Added as H230

Certificate of Authentication

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

Mayor

Clerk



Prepared By: Ichu
Date: Nov-03-2023

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By-Law Number 2023-XX

A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Zone Change from ‘UR10’ to ‘UR3’ and Introduction of Exception Number E141 (769 King Street West))

Passed:

Whereas the Council of The Corporation of the City of Kingston enacted By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (the “Kingston Zoning By-Law”);

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend the Kingston Zoning By-Law, as amended;

Therefore be it resolved that the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 2022-62 of The Corporation of the City of Kingston, entitled “Kingston Zoning By-law Number 2022-62”, is amended as follows:
 - 1.1. Schedule 1 – Zoning Map is amended by changing the zone symbol of the subject lands from ‘UR10’ to ‘UR3’, as shown on Schedule “A” attached to and forming part of By-Law Number 2023-XX
 - 1.2. Schedule E – Exception Overlay is amended by adding Exception Number ‘E141’, as shown on Schedule “B” attached to and forming part of By-Law Number 2023-XX;
 - 1.3. By adding the following Exception Number E141 in Section 21 – Exceptions, as follows:

(E141) 769 King Street West

Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The minimum **front setback** is 3.3 metres;
- (b) The minimum **rear setback** is 6 metres;
- (c) The minimum **exterior setback** is 2.8 metres;
- (d) The minimum **front setback** of a **balcony** over 1.2 metres in height is 2.1 metres;
- (e) The minimum **exterior setback** of a **balcony** over 1.2 metres in height is 3.4 metres;

- (f) The minimum **front setback** of a **deck** or **porch** over 1.2 metres in height is 2.1 metres;
 - (g) The minimum **exterior setback** of a **deck** or **porch** over 1.2 metres in height is 3.4 metres;
 - (h) The minimum **front setback** a **deck** or **porch** between 0.6 and 1.2 metres in height is 1.3 metres;
 - (i) The minimum **exterior setback** of a **deck** or **porch** between 0.6 and 1.2 metres in height is 1.3 metres; and
 - (j) The minimum **interior setback** to an **accessory structure** containing long-term bicycle parking is 0 metres, except adjacent to the property at 9 Cartwright Street where it is a minimum of 1.2 metres.
 - (k) The minimum **sight triangle** at the corner of Cartwright Street and King Street West is 5.9 metres by 5.9 metres.
2. This By-Law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting Date]

Janet Jaynes
City Clerk

Bryan Paterson
Mayor



Schedule 'A' to By-Law Number

Address: 769 King Street West
File Number: D14-004-2023

Kingston Zoning By-Law 2022-62 Schedule 1 - Zoning Map

Lands to be Re-Zoned From UR10 to UR3

Certificate of Authentication

This is Schedule 'A' to By-Law Number _____, passed this _____ day of _____ 2023.

Mayor Clerk

