

**By-Law Number 2024-XX**

**A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Introduction of Exception Number ‘E146’, (705 Arlington Park Place))**

**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 to introduce a new exception number;

**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 add Exception Number E146, as shown on Schedule “A” attached to and forming part of this By-Law.
  - 1.2. By adding the following Exception Number E146 in Section 21 – Exceptions, as follows:

“**E146.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

    - (a) The following **complementary use** is permitted, up to 100% of the total **gross floor area**, in the aggregate:
      - (i) **Office.**”
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]

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**



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

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

Address: 705 Arlington Park Place  
File Number: D14-014-2023

Lands to be added as E146

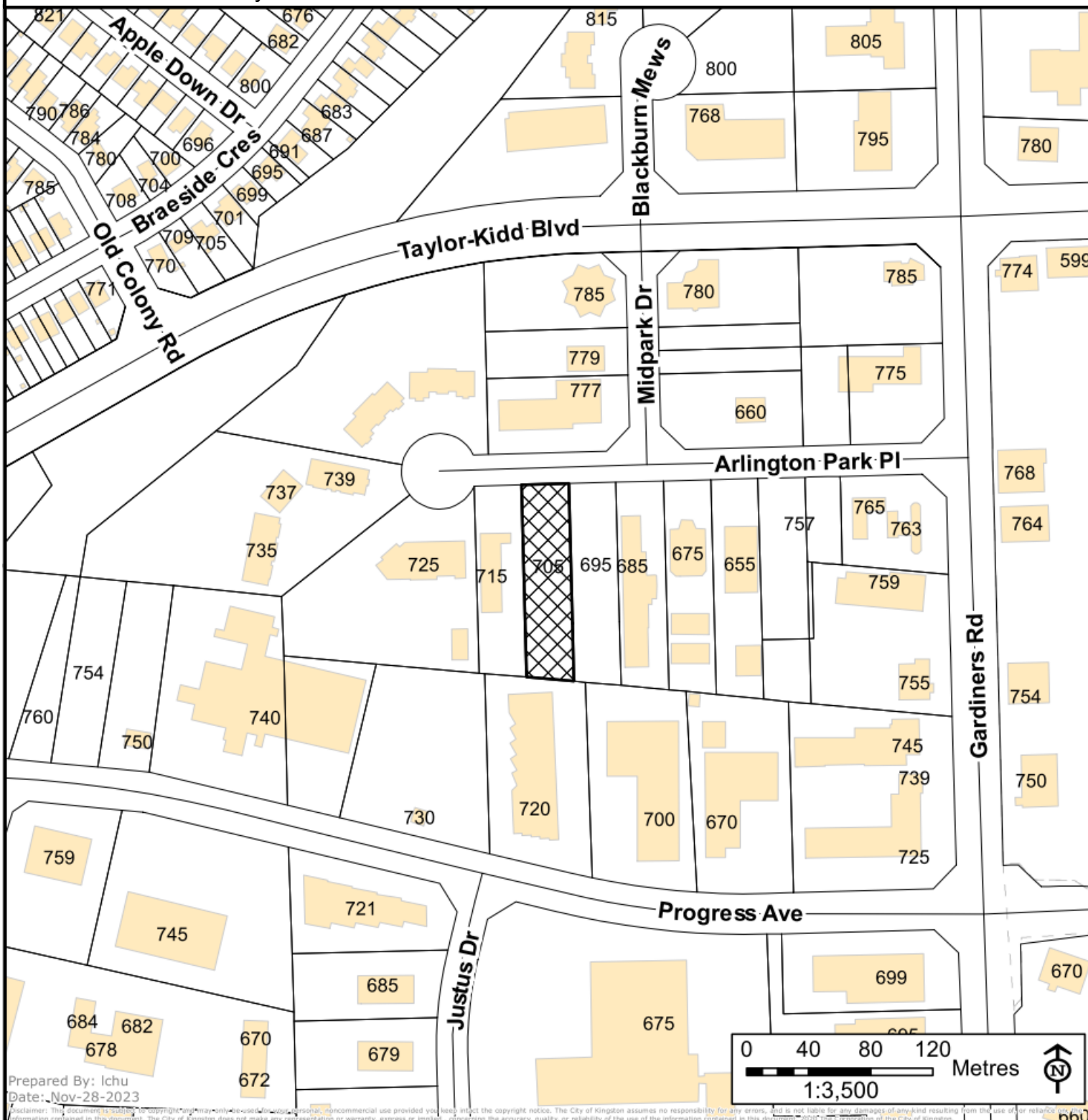
Planning  
Services

### Certificate of Authentication

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



Prepared By: Ichu  
Date: Nov-28-2023

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**By-Law Number 2024-XX**

**A By-Law to Amend By-Law Number 2022-62, “Kingston Zoning By-Law Number 2022-62” (Zone Change from ‘UR3.B’ to ‘OS2’ Zone, Removal of Exception Numbers E21 and E22, and Introduction of Exception Numbers E144 and E145 (1075 Bayridge Drive))**

**Passed:**

**Whereas** the Council of The Corporation of the City of Kingston enacted By-Law Number 2022-62, entitled “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 is amended as follows:
  - 1.1. Schedule 1 – Zoning Map is amended by changing the zone symbol from ‘UR3.B’ to ‘OS2’, as shown on Schedule “A” attached to and forming part of this By-Law;
  - 1.2. Schedule E – Exception Overlay is amended by removing Exception Numbers ‘E21’ and ‘E22’ and adding Exception Numbers ‘E144’ and ‘E145’ as shown on Schedule “B” attached to and forming part of this By-Law;
  - 1.3. By adding the following Exception Number E144 in Section 21 – Exceptions, as follows:

“**E144.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

    - (a) In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:
      - (i) **triplex**; and
      - (ii) **apartment building**.

- (b) The maximum number of **dwelling units** within an **apartment building** is 4;
- (c) **Apartment buildings** and **triplexes** must comply with the following provisions:
  - (i) The minimum **lot frontage** is 15.0 metres;
  - (ii) The maximum **height** is the lesser of 12 metres or 3 storeys;
  - (iii) The minimum **front setback** is 3.0 metres;
  - (iv) The minimum **rear setback** is 7.6 metres;
  - (v) The minimum **exterior setback** is 3.0 metres;
  - (vi) The minimum **interior setback** is 3.0 metres; and
  - (vii) The minimum **landscaped open space** is 30%.
- (d) The minimum density of **dwelling units** per net hectare on lands with residential uses, excluding lands used for roads, stormwater management, sanitary servicing, public walkways, parks or open spaces is 30.5 dwelling units per net hectare;
- (e) **Additional residential units** and ARU Ready Spaces are considered a **dwelling unit** for the purpose of calculating the minimum **density**;
- (f) For the purposes of this Exception an “ARU Ready Space” means floor area within a **residential building** that has been designed to be easily retrofitted with an **additional residential unit** or meets the criteria for an ARU-Ready Space for a detached **accessory building**, and includes the provision of:
  - (i) **parking spaces** for 2 **dwelling units**; and
  - (ii) an unobstructed exterior area sufficient to provide a **walkway** to the **additional residential unit**.
- (g) For the purposes of this Exception an “easily retrofitted with an **additional residential unit**” means that all of the following are provided:
  - (i) plumbing “rough-ins” for a minimum of 1 bathroom and 1 kitchen;

- (ii) windows in conformity with egress requirements in the Ontario Building Code; and
- (iii) required electrical and telecommunication fixtures and wiring.
- (h) For the purposes of this Exception “ARU-Ready Space for a detached **accessory building**” means:
  - (i) The sanitary stub is provided to the rear footing (clear of weeping tile) and capped. Cleanouts and access knock outs to be provided as required by the Ontario Building Code;
  - (ii) A domestic water stub is provided to the rear footing (clear of weeping tile) and capped. Shut off valves to be provided as per the Ontario Building Code; and
  - (iii) Gas and electrical to be trenched from metre location (note: to be further completed by homeowner after occupancy).
- (i) Where a **lot** includes an ARU-Ready Space for a detached **accessory building** a second **driveway** from an **exterior side lot line** is permitted provided the cumulative width of all **driveways** does not exceed 6.0 metres.”

1.4. By adding the following Exception Number E145 in Section 21 – Exceptions, as follows:

“**E145.**Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:
  - (i) **stacked townhouse**;
  - (ii) **apartment building**;
  - (iii) **triplex**; and
  - (iv) **non-residential uses** that are permitted in the CN Zone as per Table 15.1.2., where the **non-residential uses** are located only on the **first storey**.
- (b) A **stacked townhouse** must comply with the provisions that apply to a **townhouse**.

- (c) The maximum **building height** for a **building** other than an **apartment building** is 12.0 metres;
- (d) An **apartment building** with 5 or more **dwelling units** must comply with the provisions of the URM1 Zone, except that the maximum **height** is the lesser of 20.0 metres or 6 **storeys**;
- (e) **Apartment buildings** with 4 **dwelling units** and **triplexes** must comply with the following provisions:
  - (i) The minimum **lot frontage** is 15.0 metres;
  - (ii) The maximum **height** is the lesser of 12 metres or 3 storeys;
  - (iii) The minimum **front setback** is 3.0 metres;
  - (iv) The minimum **rear setback** is 7.6 metres;
  - (v) The minimum **exterior setback** is 3.0 metres;
  - (vi) The minimum **interior setback** is 3.0 metres; and
  - (vii) The minimum **landscaped open space** is 30%.
- (f) The minimum **density** of **dwelling units** per net hectare on lands with residential uses, excluding lands used for roads, stormwater management, sanitary servicing, public walkways, parks or open spaces is 37.5 dwelling units per net hectare;
- (g) **Additional residential units** and ARU Ready Spaces are considered a **dwelling unit** for the purpose of calculating the minimum **density**;
- (h) For the purposes of this Exception an “ARU Ready Space” means floor area within a **residential building** that has been designed to be easily retrofitted with an **additional residential unit** or meets the criteria for an ARU-Ready Space for a detached **accessory building**, and includes the provision of:
  - (i) **parking spaces** for 2 **dwelling units**; and
  - (ii) an unobstructed exterior area sufficient to provide a **walkway** to the **additional residential unit**.
- (i) For the purposes of this Exception an “easily retrofitted with an **additional residential unit**” means that all of the following are provided:

- (i) plumbing “rough-ins” for a minimum of 1 bathroom and 1 kitchen;
  - (ii) windows in conformity with egress requirements in the Ontario Building Code; and
  - (iii) required electrical and telecommunication fixtures and wiring.
- (j) For the purposes of this Exception “ARU-Ready Space for a detached **accessory building**” means:
- (i) The sanitary stub is provided to the rear footing (clear of weeping tile) and capped. Cleanouts and access knock outs to be provided as required by the Ontario Building Code;
  - (ii) A domestic water stub is provided to the rear footing (clear of weeping tile) and capped. Shut off valves to be provided as per the Ontario Building Code; and,
  - (iii) Gas and electrical to be trenched from metre location (note: to be further completed by homeowner after occupancy).
- (k) Where a **lot** includes an ARU-Ready Space for a detached **accessory building** a second **driveway** from an **exterior side lot line** is permitted provided the cumulative width of all **driveways** does not exceed 6 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]

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**Janet Jaynes**  
City Clerk

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**Bryan Paterson**  
Mayor





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

Address: 1075 Bayridge Drive  
File Number: D35-012-2021

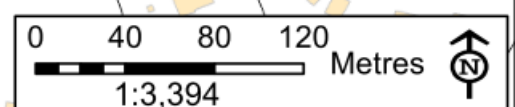
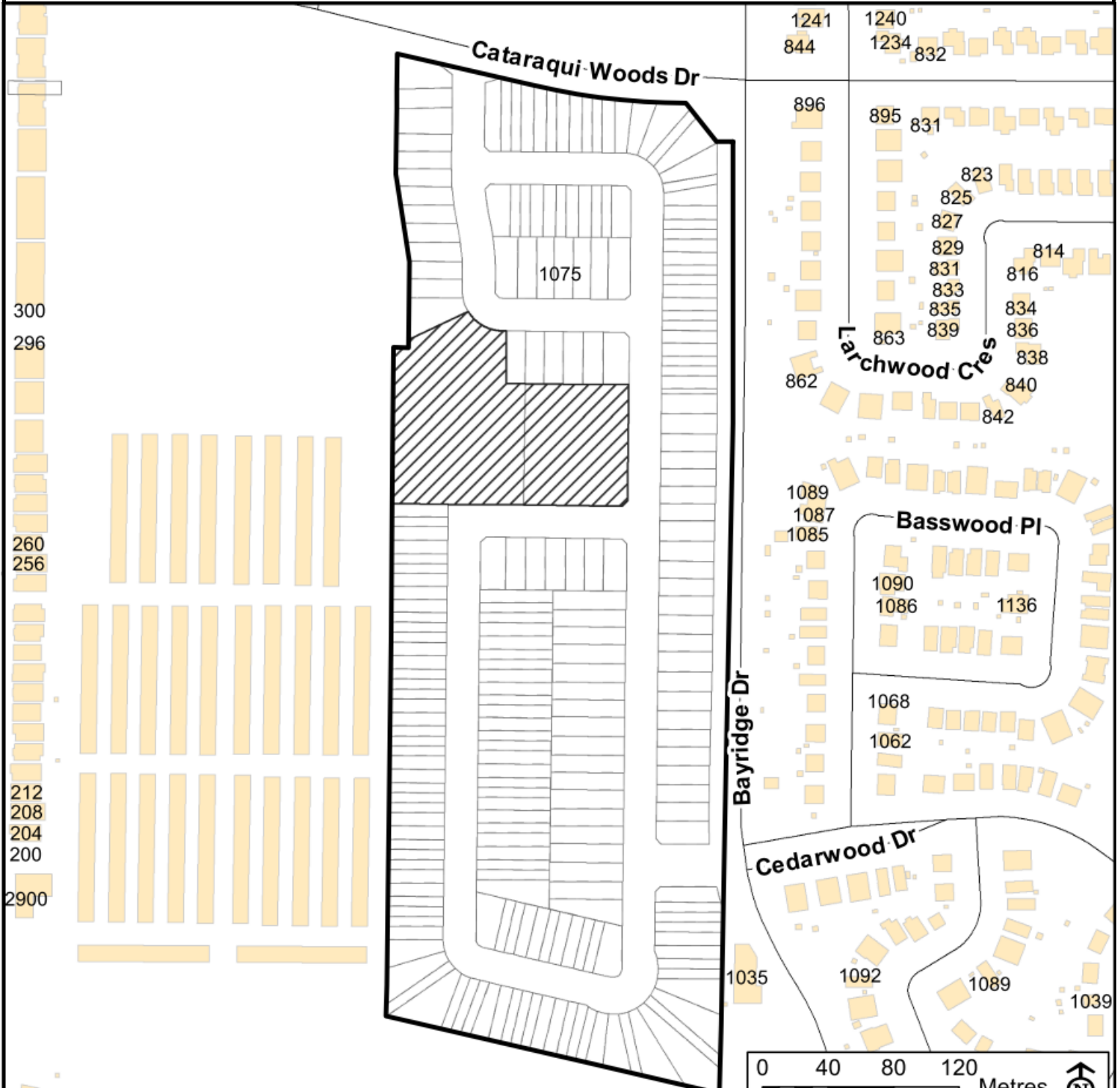
### Reference Kingston Zoning By-Law Schedule 1 - Zoning Map

Lands to be rezoned from UR3.B to OS

### Certificate of Authentication

This is Schedule 'A' to By-Law Number \_\_\_\_\_, passed this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Mayor Clerk





# Schedule 'B' to By-Law Number

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

Address: 1075 Bayridge Drive  
File Number: D35-012-2021

## Certificate of Authentication

This is Schedule 'B' to By-Law Number \_\_\_\_\_, passed this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

