

**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 E161 (2103 McKendry Road))**

**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 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 by adding Exception Number ‘E161’, as shown on Schedule “A” attached to and forming part of this By-Law;
  - 1.2. By adding the following Exception Number E161 in Section 21 – Exceptions, as follows:

“**E161.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

    - (a) “The existing **accessory dwelling** is permitted on the lands.
    - (b) The expansion of, alteration to, or relocation of the existing **accessory dwelling** is permitted subject to and in accordance with the performance standards set out in Clause 8.2.1. of this By-law.
    - (c) No other **residential uses** are permitted after the date of passing of this by-law except as provided for in (a) and (b) above.”
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: 2103 McKendry Road  
File Number: D14-013-2023

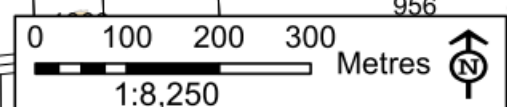
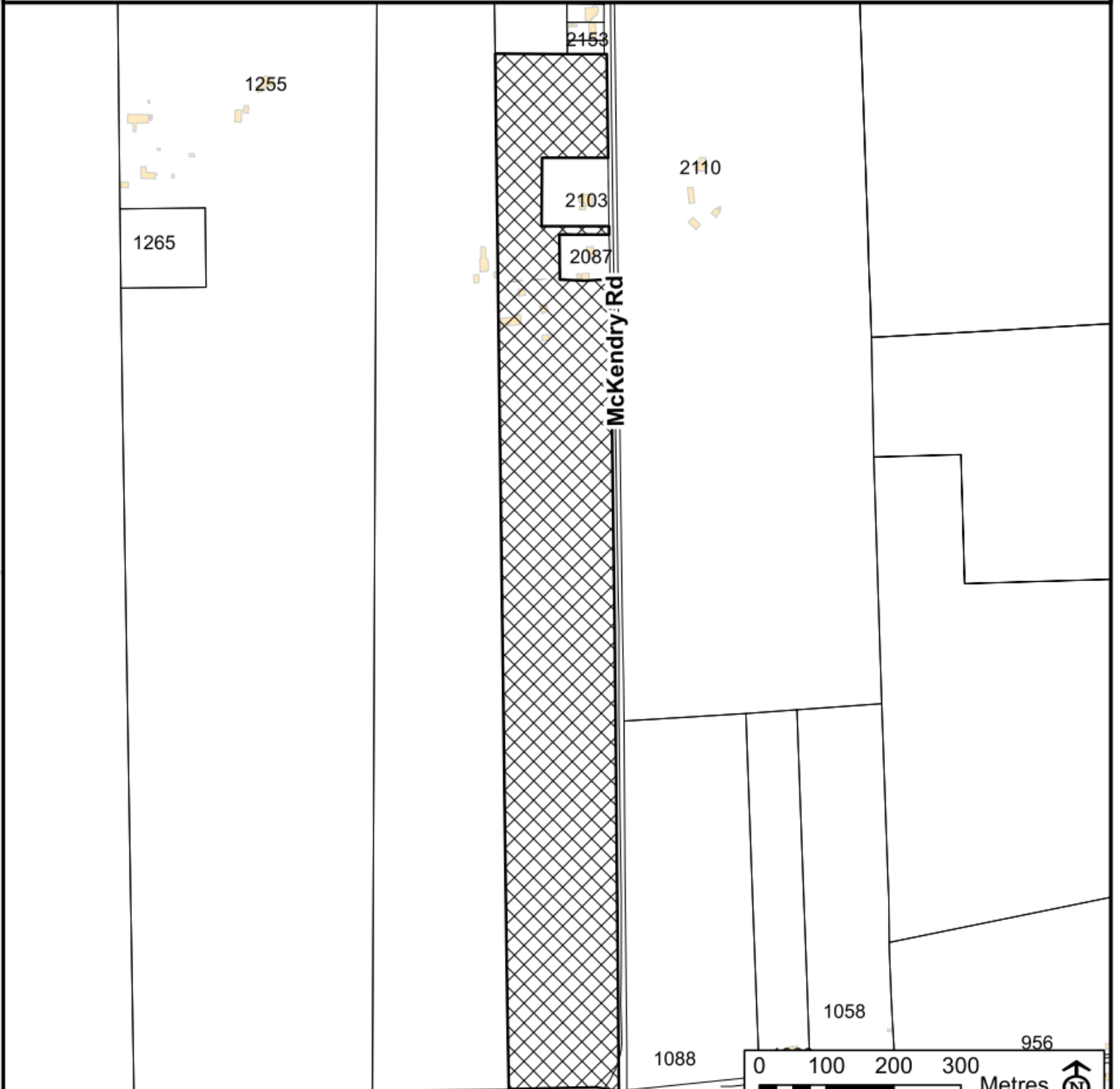
 Lands to be added as E139

## Certificate of Authentication

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



Prepared By: rejones  
Date: Nov-03-2023

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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” (Transfer of Lands into Kingston Zoning By-law and Introduction of Holding Overlay Number H235, (780 Gardiners Road))**

**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 subject lands are identified as “Not Subject to this By-Law” on Schedule 1 of the Kingston Zoning By-law; and

**Whereas** the Council of The Corporation of the City of Kingston deems it advisable to amend the Kingston Zoning By-law to incorporate the subject lands into the Kingston Zoning By-law and to introduce a new holding overlay;

**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 removing reference to “Not Subject to this By-Law”, and by adding the zone symbol ‘CG’, 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 Number H235, as shown on Schedule “B” attached to and forming part of this By-Law.
  - 1.3. By adding the following Holding Overlay H235 in Section 22 – Holding Conditions, as follows:

“**H235.** The Holding Overlay only applies to the following: a **dwelling unit** within a **mixed use building**; a **day care centre**; an **institutional use**; a **library**; and a **special needs facility**. 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. The lands shown on Schedule “A” attached to and forming part of this By-Law are incorporated into the Kingston Zoning By-law and the provisions of City of Kingston By-Law Number 76-26, entitled "Township of Kingston Restricted Area By-Law", as amended, no longer apply to the lands.
- 3. 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**



