

By-Law Number 2023-XX

**A By-Law to Amend By-Law Number 2022-62, “The Kingston Zoning By-law”
(Transfer of Lands into Kingston Zoning By-Law, Introduction of Exception
Numbers E139 and E140, and removal of Holding Overlay H180 (2312 Princess
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 subject lands are identified as “Not Subject to this By-Law” on Schedule 1 of 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 incorporate the subject lands into the Kingston Zoning By-Law and to introduce a new exception number and remove a holding overlay;

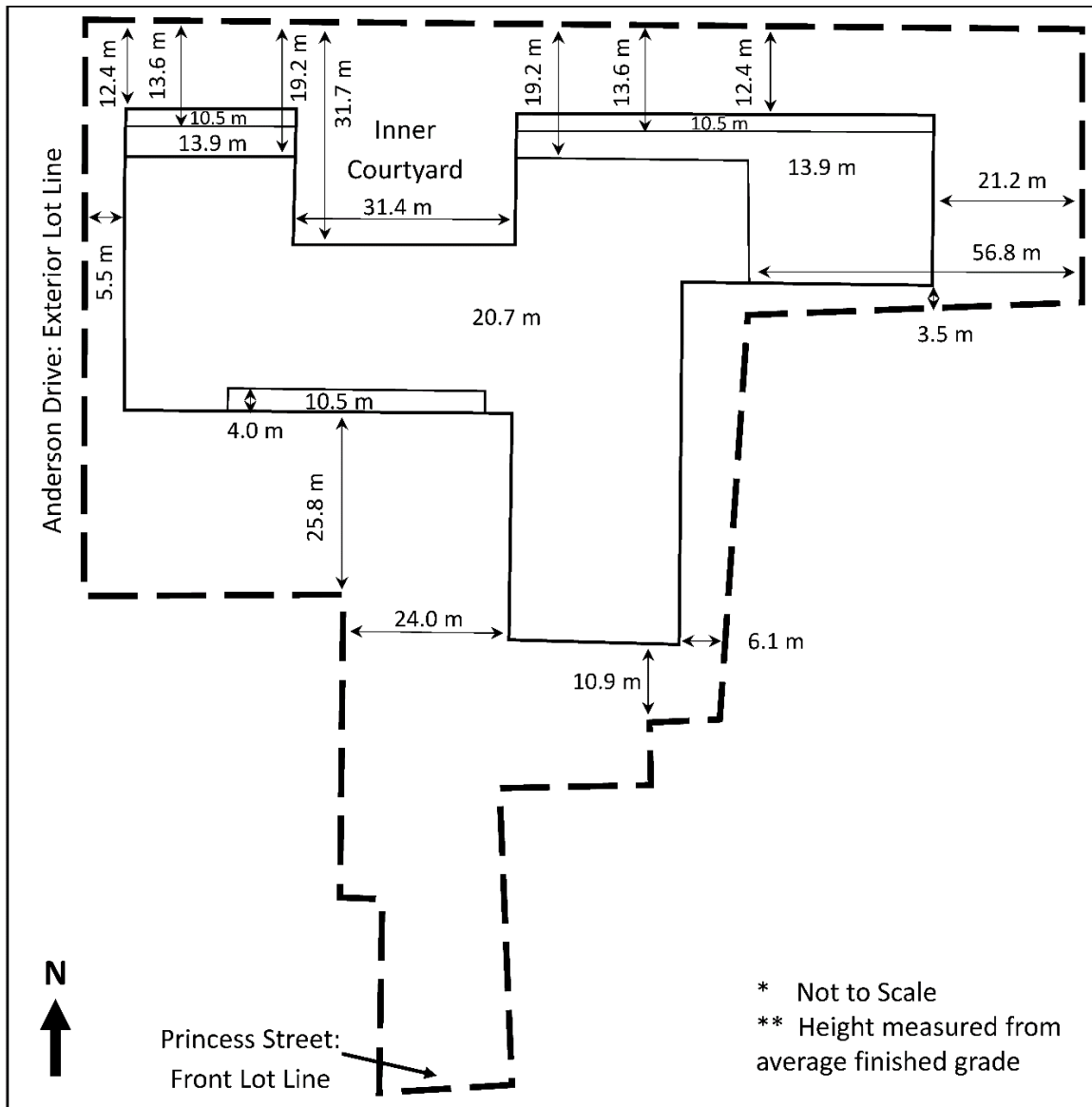
Therefore be it resolved that the Council of The Corporation of the City of Kingston hereby enacts as follows:

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 symbols ‘URM2’ and ‘UR3.B’, as shown on Schedule “A” attached to and forming part of this By-Law.

- 1.2. Schedule E – Exception Overlay is amended by adding Exception Number E139 and Exception Number E140, as shown on Schedule “B” attached to and forming part of this By-Law.
- 1.3. Schedule F – Holding Overlay is amended by removing Hold Number ‘H180’, as shown on Schedule “C” attached to and forming part of this By-Law;
- 1.4. By adding the following Exception Number E139 in Section 21 – Exceptions, as follows:
 - “**E139.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
 - (a) The lands subject to this Exception are considered one **lot** for zoning purposes;
 - (b) The maximum number of **dwelling units** in an **apartment building** is 300;
 - (c) The **front lot line** is the **lot line** dividing the **lot** from Princess Street.
 - (d) The **exterior lot line** is the **lot line** dividing the **lot** from Anderson Drive;
 - (e) The maximum **building heights** are specified on Figure E139, with a maximum 0.5 metre variance on noted dimensions permitted;
 - (f) The **building setbacks** are shown on Figure E139, with a maximum 5% variance on noted dimensions permitted;
 - (g) Maximum percentage of a **main wall** occupied by **balconies** facing an inner courtyard is 46%, facing a **rear lot line** is 30%, and all other **main walls** is 36%;
 - (h) Projecting or recessed **balconies** are not permitted above the second floor when they are within 15 metres of the rear lot line.
 - (i) A minimum 2.0 metre wide **planting strip** must be provided along the **rear lot line**;
 - (j) A privacy **fence** with a minimum height of 2.4 metres must be provided along the **rear lot line**;
 - (k) The fifth floor outdoor **amenity area** must be set back a minimum of 2.0 metres from the buildings north **main wall**;
 - (l) A **driveway** and a **drive aisle** may not be located within 12 metres of the **rear lot line**;

- (m) The minimum **drive aisle** width is 6.0 metres;
- (n) Minimum number of **car-share spaces** is 3;
- (o) Minimum number of **visitor spaces** is 10;
- (p) A maximum of 50 **parking spaces** are permitted to be **parking spaces** for small cars, with a minimum length of 4.8 metres and a minimum width of 2.4 metres, with signage that identifies the space as “small car parking space”;
- (q) Up to 20 **parking spaces** within a **parking structure** may be partially obstructed on one side by a wall or column;
- (r) A maximum of 50 **parking spaces** may be located within a **front setback** or **exterior setback** provided no parking space is closer than 9.0 metres to a front lot line and 15 metres from a rear lot line;
- (s) A **Loading Space** may be located in a **front yard** provided it is not closer than 30 metres to a **front lot line** or **exterior lot line**;
- (t) A minimum of 0.75 **long-term bike spaces** are required per **dwelling unit**;
- (u) **Short-term bike spaces** are not required to be weather-protected.

(v) **Figure E139:**



- 1.5. By adding the following Exception Number E140 to Section 21 – Exceptions as follows
 - (a) The lands subject to this Exception are considered one lot for zoning purposes;
 - (b) Maximum number of **bedrooms** is 12 **bedrooms**;
 - (c) Minimum **rear setback**: 3.5 metres; and
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]

Janet Jaynes
City Clerk

Bryan Paterson
Mayor





Planning
Services

Schedule 'A' to By-Law Number

Address: 2312 Princess St
File Number: D35-004-2022

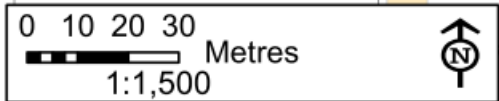
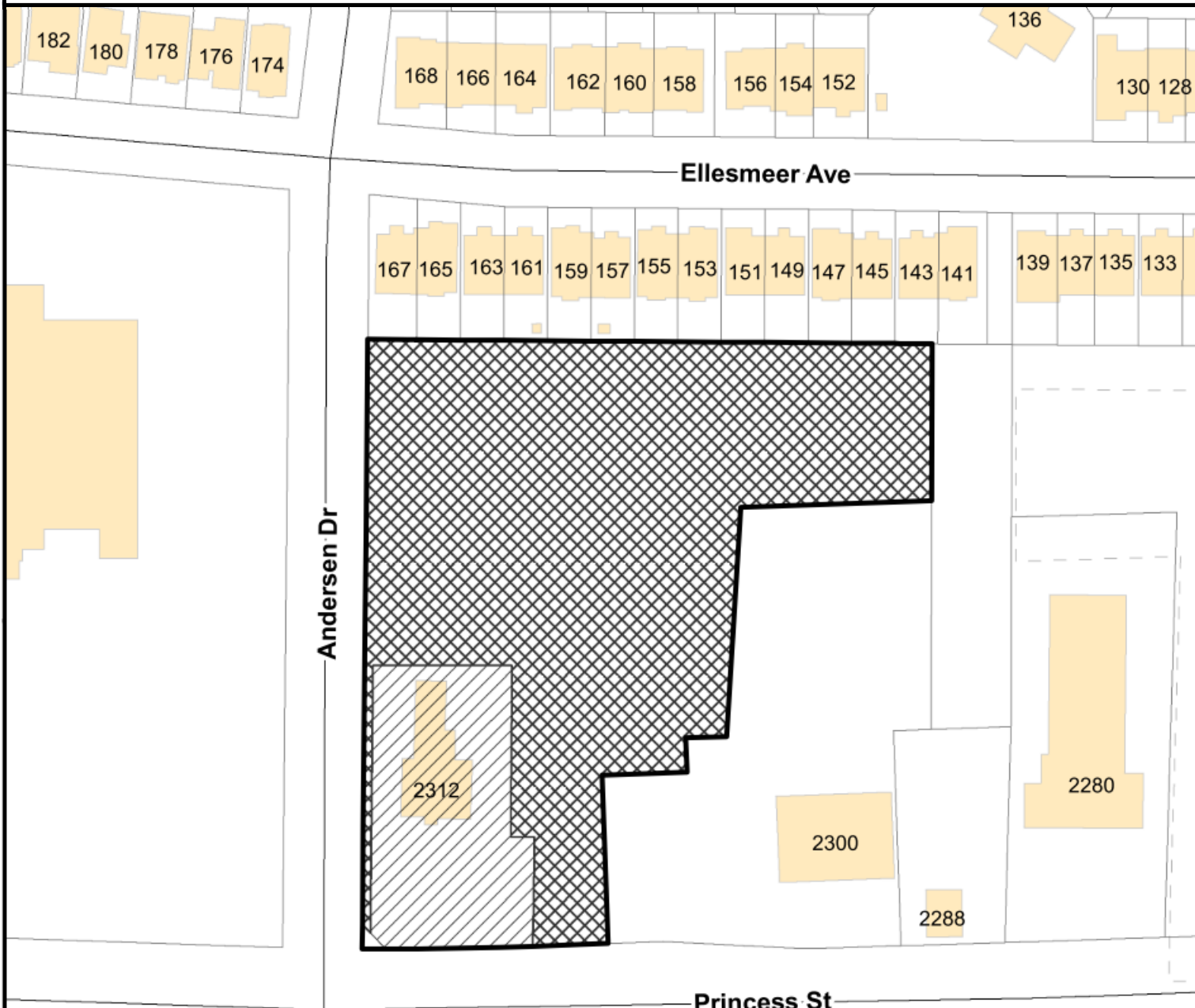
Reference Kingston Zoning By-Law Schedule 1 - Zoning Map

-  Rezoned from Not Subject to this By-law to UR3.B
-  Rezoned from Not Subject to this By-law to URM2

Certificate of Authentication

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

Mayor Clerk







Planning Services

Schedule 'B' to By-Law Number

Address: 2312 Princess St
File Number: D35-004-2022

Reference Kingston Zoning By-Law Schedule E - Exception Overlay

-  Lands to be Added as Exception Number E139
-  Lands to be Added as Exception Number E140

Certificate of Authentication

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

Mayor Clerk

