

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 ‘M1’ to ‘M4’ Zone, Introduction of Exception E167, and Addition of Holding Overlay H237 (1287 and 1301 Gardiners Road))

Passed: July 9, 2024

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 1 – Zoning Map is amended by changing the zone symbol from ‘M1’ to ‘M4’, 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 ‘E167’, as shown on Schedule “B” attached to and forming part of this By-Law;
 - 1.3. Schedule F – Holding Overlay is amended by adding Hold Number ‘H237’, as shown on Schedule “C” attached to and forming part of this By-Law;
 - 1.4. By adding the following Exception Number E167 in Section 21 – Exceptions, as follows:

“**E167.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

 - (a) **Long-term bike spaces** will not be required for a change of **use** at the existing building at 1287 Gardiners Road. However, if any other **development** is proposed, **long-term bike spaces** must be provided in accordance with all provisions of Subsection 7.3 of this By-law.

End-of-trip bike facilities for non-residential uses will not be required for a change of **use** at the existing building at 1287 Gardiners Road. However, if any other **development** is proposed, **end-of-trip bike facilities** must be provided in accordance with all provisions of Subsection 7.3 of this By-Law.”

- 1.5. By adding the following Hold Number H237 in Section 22 – Holding Conditions, as follows:

“**H237.** The Holding Overlay applies only to a **day care centre** or a **hotel**. All other permitted **uses** are not subject to the Holding Overlay. Prior to the removal of the Holding Overlay, the following condition 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: July 9, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

