



City of Kingston

Ontario

By-Law Number 8499

Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston

Passed: 1975 07 28

Approved By O.M.B: 1977 09 07

O.M.B. File Number: R 752516

Amended By: Please see Following Pages

Note:

For accurate reference, any questions regarding this By-law Number 8499 and the above-noted amendments must be directed to the Planning Department, 1211 John Counter Boulevard Office, or by calling (613) 546-4291 extension 3180. Thank you.

Copies of any original by-law amendments are obtained through the Office of the City Clerk (613) 546-4291 extension 1375.

All zoning by-laws and updated map schedules may be viewed at the City of Kingston Website:

<http://www.cityofkingston.ca/business/planning-and-development/zoning>

(Office Consolidation)

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Section 486: 720 Princess Street
Section 487: 873 and 877 Division Street
Section 488: 54 Wiley Street
Section 489: 199 Wilson Street
Section 490: 199 Wilson Street
Section 491: 23 Soccer Lane
Section 492: 462 Barrie Street
Section 493: 169 Union Street
Section 495: 230 Victoria Street
Section 496: 1479 John Counter Boulevard
Section 497: 469, 471 and 473 Earl Street
Section 498: 471 Earl Street
Section 499: 473 Earl Street
Section 500: 103 Richardson Drive
Section 501: 241 University Avenue
Section 502: 99 Chatham Street
Section 503: 92 Cataraqui Street
Section 504: 15 James Street
Section 505: 113 Raglan Road
Section 506: 15 Markland Street
Section 507: 256 Elmwood Street
Section 508: 85 King Street East and 46 Simcoe Street
Section 509: 70 Barbara Avenue and Fray Street
Section 511: 27 Pine Street
Section 512: 37 and 39 Churchill Street
Section 513: 22 Davidson Street
Section 515: 682 Princess Street
Section 516: 230 Collingwood Street
Section 517: 671 Brock Street
Section 518: 5 Couper Street

Section 519: 735, 743 King Street West
Section 520: (735, 743 King Street West)
Section 521: 735, 743 King Street West
Section 522: 735-743 King Street West
Section 523: 271, 273 Earl Street
Section 524: 332 Yonge Street
Section 525: 174 Wilson Street
Section 526: 752 King Street West
Section 527: 752 King Street West
Section 528: 346 University Avenue
Section 529: 66 Earl Street
Section 530: 46 Cowdy Street
Section 531: 94 Carruthers Avenue
Section 532: 371 College Street
Section 533: 85 Sydenham Street
Section 534: 3 Adelaide Street
Section 535: 672 Division Street
Section 536: 783 King Street West
Section 537: 785 King Street West
Section 538: 306-308 Montreal Street
Section 539: 194 Mack Street
Section 540: 102 and 104 Park Street
Section 541: 1020 Portsmouth Avenue
Section 542: 1028 Portsmouth Avenue
Section 543: 303 York Street
Section 544: 14 North Bartlett Street
Section 545: 644 Victoria Street
Section 546: 133 Dalton Avenue
Section 547: 480 Earl Street
Section 548: 268 Victoria Street
Section 549: 143 Beverley Street
Section 550: 311 Conacher Drive
Section 551: 434 Johnson Street

Section 552: 438 Johnson Street
Section 553: 7 James Street
Section 554: 11 James Street
Section 555: 575, 579, 601, 605, 611 Princess Street & 510 Frontenac Street
Section 556: 254 Collingwood Street
Section 557: 652 Princess Street, 662-670 Princess Street & 551 Victoria Street
Section 558: 316 Albert Street
Section 559: 355 King Street West
Section 560: 9 & 15 Portsmouth Avenue and 797 King Street West
Section 561: 203-205 Colborne Street
Section 562: 480 and 482 Albert Street
Section 565: 189 Montreal Street
Section 566: 60 Collingwood Street
Section 567: 190, 200, 210 and 220 Wilson Street, 16, 33, 40, 41, 51, 61, 70, 71, 81, 94, 100, 106, 110 and 140 Compton Street, and 183, 199, 215 and 227 Weller Avenue

Section 568: 33, 41, 51, 61, 71 and 81 Compton Street
Section 569: 16 Grange Street
Section 570: 168 Division Street
Section 571: 235 and 243 Colborne Street & 60, 62, and 64 Elm Street
Section 575: 85 First Avenue
Section 576: 85 First Avenue
Section 577: 189 King Street West
Section 578: 15, 21 and 27 McDonald Avenue and 60 & 62 Baiden Street
Section 579: 11 Wright Crescent
Section 580: 27 Wright Crescent
Section 581: 49 Beverley Street
Section 582: 42 Beverley Street
Section 583: 1020 Portsmouth Avenue
Section 584:
Section 585:
Section 586: 67-69 Chatham Street
Section 587: 305 Rideau Street
Section 588: 323 Rideau Street

Section 589: 2 Couper Street
Section 590: 317 Montreal Street
Section 591: 31 Hyperion Court
Section 594: 9 North Street
Section 595: 71 and 73 Adelaide Street
Section 596: 425 and 427 Division Street
Section 597: 1024 Portsmouth Avenue
Section 598: 27 Gardiner Street
Section 599: 771 Division Street & 795-799 Division Street
Section 600: 192 Union Street
Section 601: 180 & 182 Bagot Street
Section 602: 872 Johnson Street
Section 603: 58-60 Yonge Street
Section 604: 9 Couper Street
Section 605: 585 Union Street
Section 606: 1316-1318 Princess Street
Section 607: Part of 1338 Princess Street
Section 608: 484 Albert Street and 620 Princess Street
Section 609: 484 Albert Street and 620 Princess Street
Section 610: Reserved
Section 611: Reserved
Section 612: Reserved
Section 613: Reserved
Section 614: Reserved
Section 615: 235 Frontenac Street
Section 616: 303 and 305 Sutherland Drive
Section 617
Section 618 178 Rideau Street, 3 Raglan Road and 5 Raglan Road

Section Part IX: Zoning Maps and Schedules

Schedule A:	Legend Key Map Zoning Maps 1 to 32
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Schedule C:	Plan of Lots 702, 703, Pts Lots 696, 697 and 701, R.P. A-12
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Schedule D-3:	“ “ “ “
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Schedule F:	Bath Road and Portsmouth Avenue
Schedule G:	Headway Corporation – Conacher Drive and Weller Avenue
Schedule H-1:	Franklin Place
Schedule H-2:	“ “
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Schedule H-5:	“ “
Schedule I-1:	1055 Princess Street
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City of Kingston By-Law Number 8499 – Amendments

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
8616	Amend Section 39.2 – Effective Date Oct. 14/75	1975 10 14	1978 02 28	R 761642
8652	0.42 ha, S/S Weller E. of Division from M1 to A5	1975 11 10	1978 02 28	R 761623
8723	0.15 ha, S/S Princess between Albert and Frontenac from A to C (amended by By-Law 8873)	1976 01 26	1977 09 07	R 762220
8724	0.16 ha N/E Corner Division and Johnson to include permitted use of offices	1976 02 09	1978 02 24	R 761624
8725	General Provisions, C Zones, etcetera	1976 02 09	1977 09 07	R 762136
8727	0.36 ha S of Elliot & W of Douglas from B2.102 to A3.103; and Revised Exceptions, Land N of Kirkpatrick W of Division	1976 02 09	1978 02 24	R 761625
8728	Lands W of Montreal, S of Railway to include permitted uses of storage, warehousing, distribution, fabrication, etcetera	1976 02 09	1978 06 30	R 781001
8729	0.43 ha E of Carlisle from A to P	1976 02 09	1977 09 07	R 761626
8730	0.14 ha S/W Corner King and Mowat from C1 to C2	1976 02 09	1978 02 24	R 761627
8731	Designate Area Bounded by Princess, Ontario, Queen and Bagot as Commercial	1976 02 09	1978 02 24	R 761628

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
8732	0.12 ha Barrie, Ordnance and York, to include permitted uses for V.O.N.	1976 02 09	1978 02 24	R 761636
8733	0.11 ha S/E Corner Division and Benson from A5 to C2	1976 02 09	1978 02 24	R 761637
8734	S of King W of Mowat to include permitted uses of office / laboratory for M.O.E.	1976 02 09	Repealed By By-Law Number 8907	R 752516
8735	S of Counter West of Sir John A. Macdonald Boulevard from A2 to A5	1976 02 09	Repealed By By-Law Number 8956	R 761638
8759	W of Portsmouth between Johnson and Nickle from A2 to B1 and P	1976 02 23	1978 10 02	R 752516
8784	0.22 ha E/S Montreal opposite Hickson from A to B1.121	1976 04 12	1978 02 24	R 761639
8785	Revise Requirements for Group or Row Dwellings and Home Occupations	1976 04 12	1978 02 24	R 761640
8786	Revise Parking Requirements, S/W Corner Johnson and Bagot	1976 04 12	1978 02 28	R 761641
8825	0.04 ha W/S Montreal S of Hickson from M6 to M7	1976 05 10	1977 09 07	R 762052
8845	0.10 ha S/W Corner Johnson and Aberdeen from E to E.122	1976 06 14	1978 02 24	R 761857

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
8846	Revise Exceptions to Various Zones – Land N of Weller and W of Wilson	1976 08 23	1978 02 24	R 762808
8866	Nelson and Princess from A to A.123 and from C to C.123	1976 06 14	Repealed By By-Law Number 8890	R 761858
8868	Conversions of existing Buildings in C Zones E of Division	1976 06 28	1978 02 24	R 762221
8873	Amends 8723 – 0.15 ha S/S Princess between Albert and Frontenac from C to C.125	1976 06 28	1977 09 07	R 762220
8884	0.38 ha S/W Corner Rideau and Ordnance from A to B3.124	1976 07 29	Superseded by By-Law Number 8950	R 762801
8886	0.32 ha No of Railway & E of Division from M6 to M7	1976 07 29	1978 02 28	R 762809
8890	Repeals By-Law Number 8866 – Nelson and Princess	1976 07 29	--	--
8891	Rezone Municipal Parks from P and P1 to P. 126 and P1. 126	1976 07 29	1978 02 24	R 77677
8906	5.02 ha N of Dalton, W of Division from M1 and M3 to M2	1976 08 23	1978 02 24	R 762810
8907	Repeals By-Law 8734 – S of King, W of Mowat	1976 08 23	--	--

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
8917	0.33 ha Montreal & Bagot, N of Queen from C to P1	1976 10 12	1978 02 24	R 763280
8926	0.13 ha Nelson & Princess from A to A.123 and C to C.123	1976 10 25	1978 03 17	R 77295
8938	0.31 ha Foot of Brock from C to OS3	1976 11 08	1978 02 24	R 763400
8955	Repeal A2 Zoning on 1.82 ha S of Counter, W of Sir John A. – Lots 1-17, Plan 1658	1976 11 22	--	R 763283
8956	Repeals By-Law 8735 – S of Counter, W. of Sir John A.	1976 11 22	--	--
8957	Amend Sec. 39.1 – Repeal of existing By-Laws to leave By-Law Number 8402 in effect	1976 11 22	--	R 763284
8981	1.3 ha S/W Corner Princess and Sir John A. from B1 to B3	1977 02 14	1978 02 24	R 77812
8982	Revise Provisions in C Zones – Parking	1977 02 14	1978 02 28	R 77536
8992	0.42 ha E/S Division N of Weller from C2.101 to C2	1977 03 14	1979 02 02	R 771310
8995	1.38 ha Land & Water, Southerly End of Maitland and Simcoe (Kingston Yacht Club)	1977 04 25	1979 03 13	R 771976
9016	0.12 ha N/W Corner Clergy & Colborne from A to A.130	1977 05 09	1978 02 28	R 771521
9024	0.15 ha E/S Country Club Drive from OS2 to A2	1977 05 24	1978 02 28	R 771744
9035	4.05 ha E of Yonge and S of King from P to P.131 and to Expand Uses	1977 06 27	1978 02 24	R 772229

Amended up to May 17, 2022

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
9045	0.08 ha N/W Corner Clergy and Queen from A to A.132	1977 07 11	1978 08 28	R 772222
9046	1.98 ha N of Elmwood and W of Sir John A. from B1 to B3.133	1977 07 11	1978 05 02	R 772315
9052	1.0 ha North/West Corner Montreal and Briceland from A5 to B1.134	1977 08 08	1978 02 24	R 772754
9064	14.7 ha East of Rideau, N of River, from Industrial and Parks and Open Spaces to Residential, Commercial and Recreation, Parks & Open Spaces	1977 11 28	1979 02 07	R 78237
9086	2.3 ha S/E Corner Division and Weller Avenue Place from M1 to A5 and A6	1977 09 26	1978 08 10	R 773076
9088	0.03 ha S/S Princess W of Montreal from C to C.137	1977 09 26	1978 02 24	R 773040
9103	1.06 ha N/W Corner Bath Road and Sir John A. from B3 to B3.138	1977 10 24	1978 02 28	R 773491
9126	1.0 ha S/S Bath Rd. E of Little Cataraqui River from FP and OS2 to C2: Lands W/S Little Cataraqui River S of Princess from OS2 to OS2.148: Two parcels S of Green Drive from OS2 and FP to B1	1977 11 28	1978 02 17	R 752516
9140	0.27 ha S/S Princess E of Portsmouth as C2	1978 01 16	1978 04 20	R 78447

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
9163	0.14 ha Mowat between Union and Baiden from A5 to A5.150	1978 02 13	1978 04 24	R 78748
9172	0.03 ha E/S King N of Princess from C to C.151	1978 02 27	1978 05 01	R 78934
9197	0.2 ha S/W Corner Macdonnell & South Bartlett from A to C1	1978 03 13	1979 01 25	R 781265
9205	1.38 ha E/S Portsmouth N of Johnson from A1 to A2	1978 03 28	1978 05 09	R 781195
9206	Include Shopping Centres as Permitted Use in Commercial Zones	1978 03 28	1978 05 26	R 78759
9207	Include Some Laundries and Dry Cleaners as Permitted Uses in C Zones	1978 03 28	1978 06 21	R 781648
9214	0.04 ha W/S Macdonnell between Princess and South Bartlett from A to C1	1978 04 10	1979 04 30	R 781683
9229	General Revisions	1978 04 24	1978 09 07	R 781204
9230	0.53 ha N/E Corner Bagot and Cataraqui from Zone D of By-Law 3077 to A.139	1978 04 24	1978 06 29	R 781750
9231	0.24 ha between Patrick and Depot, N of Railway from Zone 1 of By-Law 3077 to M7	1978 04 24	1978 06 28	R 781739

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
9232	2.75 ha S of Princess E of Little Cataraqui River from E and C of By-Law 541 to OS1: 4.5 ha S of Princess and E of Little Cataraqui River from Zone C of By-Law 541 to B1.109 (Amended By By-Law Number 9308)	1978 04 24	1979 07 16	R 782593
9233	Either Side of Bagot between John and Charles and both sides Montreal between Charles & Markland from Zone D of By-Law 3077 to C1.140, A, A.141, A.142, A.143, A.144, A.145, A.146, A.147	1978 04 24	1979 09 10	R 781850
9234	0.08 ha W/S Bagot between Bay and Ordnance from Zone D of By-Law 3077 to A.149	1978 04 24	1978 06 29	R 781751
9235	0.24 ha E/S Montreal N of Railway from Zone E of By-Law 3077 to A.153 of By-Law 3077 to A.154	1978 04 24	Repealed By By-Law Number 79-249	R 781851
9236	0.14 ha E/S Montreal N of Railway from Zone E	1978 04 24	1978 06 29	R 781752
9258	1.98 ha E of Orchard between River and Cataraqui from P to P.155	1979 01 23	1979 05 16	--
9285	0.58 ha N/W Corner Division & Concession from A5 to C1	1978 07 10	1980 03 14	R 783032
9287	0.11 ha N/W Corner Concession & Connaught from A5 to C2.156 and A5.156	1978 07 10	1978 09 18	R 782406
9308	Amends 9232: Increase Density	1978 07 24	1979 07 16	R 782593

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
9324	0.08 ha W/S Portsmouth S of Princess (848 Portsmouth) from C2 to C2.159	1978 08 28	1979 05 24	R 783196
9343	0.76 ha W/S Ontario N of West and E/S King between West and Lower Union from A, B and B1 to B. B.158 and B1.158	1978 10 10	Not Approved	R 783920
9378	8.09 ha N of Bath Road, W of Extension of Queen Mary, from FP and B1.110 to B1.160, OS1 and FP	1978 11 06	1979 02 28	R 783836
9385	0.04 ha S/W Corner Rideau & Cataraqui from A to A.162	1978 12 04	1979 01 26	R 79178
79-5	1.1 ha S/S Elliot Avenue west of Douglas Avenue from B2.102 to A3.103	1979 02 12	1979 07 23	R 791365
79-6	Group Homes	1979 02 12	1979 05 14	R 79850
79-15	0.02 ha 211 Division Street from A to A.163	1979 02 26	1979 05 10	R 791531
79-17	0.24 ha S/S Cataraqui Street East of Rideau from A to M7	1979 02 26	1979 07 24	R 791588
79-19	Lands Along west Bank of Great Cataraqui River from Bell Island Northerly from Open Space to FP	1979 02 26	1979 10 04	R 791673
79-30	0.07 ha E/S Division Street South of Stephen from A to A.164	1979 03 12	1979 06 01	R 791888
79-115	Bell Canada Buildings and Facilities in all Zones	1979 06 11	1979 08 21	R 792245

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
79-138	Rezone Industrial Park to Zones M, M.94, M.96 and FP	1979 07 23	1980 11 25	R 793698
79-139	119 Barrack Street – Rezone from A to A.165	1979 07 23	1979 10 10	R 793256
79-140	81 King Street East – Rezone from A to A.166 and amend zoning for 47 Wellington Street to permit a total of 17 dwelling units.	1979 07 23	1980 02 25	R 793668
79-158	Repeal Section 5.30 – Development Control Provisions.	1979 07 23	Not Necessary	
79-174	Metric Conversion of By-Law 8499	1979 12 03	Not Necessary	
79-188	Amend Penalty Clause Pursuant to Section 469 (a) of The <i>Municipal Act</i> , R.S.O 1970, as amended	1979 08 27	1979 11 21	R 793436
79-201	Rezone land on south side of Queen’s Crescent East of Albert St. from E to E.167	1979 09 24	1979 11 01	N/A
79-234	119 Barrack Street – Amend provisions of Section 165	1979 10 22	1979 11 21	N/A
79-249	Repeals By-Law 9235 – east side Montreal Street, north of Railway Street	1979 12 05	1980 02 11	R 781851
79-250	Rezone 0.24 ha on east side Montreal Street North of Railway Street from E of By-Law Number 3077 to A.153	1979 11 05	1980 02 11	R 781851
79-253	Rezone lands east side Division Street north of Weller Avenue from C2, C2.79 and C2.101 to C2.101	1979 11 05	1980 05 26	R 794318

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
79-263	Rezone six neighbourhood stores	1979 11 26	1980 05 26	R 80281
80-11	Rezone certain lands both sides Little Cataraqui Creek to FP, OS2.148, B1.109 and OS1	1980 01 07	Not Approved	R 801433
80-22	Rezone 0.36 ha north side Concession Street between Princess and Macdonnell Streets from C2 to C2.174	1979 12 20	1980 02 27	R 80398
80-42	Rezone three parcels north side Counter Street between Division Street and LeRoy Grant Drive from M to M.175	1980 03 24	1980 07 16	R 801599
80-43	Rezone 0.6 ha parcel at southeast corner River and Orchard Streets from M6 to M7.176 (Dye and Chemical Co.)	1980 03 03	1980 05 22	N/A
80-67	Amend definition of "Family"	1980 03 31	1980 05 28	N/A
80-77	Rezone east side Montreal Street north of Railway Street from A, A.153, A.154 and E (By-Law 3077) to M7.178	1980 04 08	1980 08 18	R 801547
80-78	Rezone east side Montreal Street opposite Hickson Avenue from A to M7	1980 04 08	1980 08 18	R 801600
80-92	Rezone Kingscourt Public School Site from A5 to A3 and P	1980 04 28	1980 08 14	R 801617
80-93	Rezone Champlain Park (northerly portion) from P to A3	1980 04 28	1980 08 14	R 801618
80-94	Rezone 5.5 ha parcel on north side Counter Street west of Sir John A. Macdonald Boulevard from M to M.177	1980 04 28	1980 11 25	R 801527

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
80-115	Rezone certain properties west side Ontario Street between West and Lower Union Streets from By-Law 3077 to B.179, B.180 and Bl.181	1980 05 26	1980 07 30; 1980 09 25	R 801763
80-156A	Amend Section 126	1980 08 11	1980 08 11	N/A
80-226	Rezone 0.53 ha southwest corner Hickson Avenue and Harvey Street from M6 to M7	1980 10 20	Not Necessary	
80-243	Rezone certain lands both sides Little Cataraqui Creek to FP, OS2.148, Bl.109 and OS1	1980 11 24	1980 12 19	R 801433
81-49	Increase Maximum Fine	1981 01 05	1981 05 14	M 81156
81-66	Rezone 4.2 ha parcel of land north side of Concession Street, west of Macdonnell Street to permit shopping centre – to C2	1981 08 17	Application Dismissed By Ontario Municipal Board	R 812074
81-88	Redefine “Family	1981 03 02	1981 04 04	N/A
81-112	Rezone 2 parcels of land both sides of Eldon Hall Place – S/W Corner Portsmouth Avenue and Bath Road from B1 to B1.182	1981 03 23	1981 04 22	N/A
81-185	Rezone 3.67 ha parcel of land S/E corner Bath Road and Portsmouth Avenue from B.1 to B3.185	1981 06 08	1981 09 10	R 811338
81-187	Amend Definition of “Community Hall”	1981 09 29	1982 07 13	R 820244

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
81-237(A)	Rezone lands W/S Division Street north of Dalton Avenue from M to C2.187	1981 08 17	1982 06 07	R 812075
81-237(B)	Rezone lands E/S Division Street north of Weller Avenue from C2.101 to C2 and C2.101	1981 08 17	1982 06 07	R 812076
82-45	Permit detoxification Centre in Central Business District	1982 03 01	1982 08 31	R 820857
82-54	Rezone property S/W corner Division and Colborne Streets from B.3 to C.188	1982 03 29	1982 06 10	R 820828
82-67	Reduction of lot area for road widenings, daylighting triangles, etcetera	1982 04 05	1982 11 25	R 820858
82-72	Amends By-Law 81-237(B)	1982 04 05	1982 06 07	R 812076
82-87	Amends By-Law 81-187	1982 05 10	1982 07 06	R 820244
82-88	Rezone 0.02 ha parcel of land N/E Corner Division and Princess Streets form C to C.189	1982 05 10	1982 06 30	N/A
82-89	Restrictions re conversion of one-family dwellings to two-family dwellings	1982 05 10	1982 07 12	N/A
82-196	Rezone 155½ King Street East from B to B.191	1982 10 25	1983 01 02	R 821982
82-197	Definitions for places of amusement and permit places of amusement	1982 11 01	1983 06 13	R 830089

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
82-223	Rezone 4 parcels of vacant land on both sides of Aberfoyle Road from B2.107 to A3.192	1983 01 24	1983 08 11	R 830592
83-51	Definitions for places of amusement and permit places of amusement	1983 03 07	1983 06 13	R 830089
83-107	Rezone 0.03 ha parcel of land E/S Drayton Avenue, north of Princess Street from A to C.194	1983 06 13	1983 07 29	N/A
83-108	Rezone 1.1 ha parcel of land S/S Elliot Avenue West of Douglas Avenue from A3.103 to A3.193	1983 06 13	1983 10 20	R 831097
83-109	Delete minimum required lot coverage "M" Industrial Zone	1983 06 13	1983 08 05	N/A
83-110	Correction of minor errors in text	1983 07 11	1983 07 20	R 830942
83-168	Administrative zoning amendments	1983 07 25	1983 09 17	N/A
83-170	Proposed 65 unit senior citizen building S/S Barbara Avenue	1983 07 25	(Repealed By By-Law Number 85-61)	
83-204	Rezone 1.8 ha parcel of land S/S Princess Street West of Parkway from FP and OS2.148 to C2.197	1983 10 17	1983 10 17	N/A
84-31	Interim Control – Inner Harbour	1983 12 20	1983 12 20	N/A
84-52A	Definition of Density	1984 02 07	1984 02 07	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
84-68	Rezone 0.85 ha parcel of land (Block "H") S/S Elliot Avenue between Douglas Avenue and Division Street from B2.102 to B2.198	1984 03 06	1984 03 06	N/A
84-69	Rezone 0.80 ha parcel of land (Block "J") S/S Elliot Avenue between Douglas Avenue and Division Street from B2.102 to B2.198	1984 03 06	1984 03 06	N/A
84-70	Violations and Penalties	1984 03 06	1984 03 06	N/A
84-110	Rezone 1.39 ha parcel of land S/S Counter Street west of Aberfoyle Road from B2.107 to A3.192	1984 05 08	1984 05 08	N/A
84-174	Rezone Market Square to "SC" Special Commercial (Heritage Conservation)	1985 03 26	1985 03 26	R 850226
84-176	Rezone 0.086 ha parcel of land E/S Alfred Street north of Princess Street from B to B3.200	1984 07 25	1984 07 25	N/A
84-191	Rezone 1.5 ha parcel of land N/S Place d'Armes between Ontario and King Streets from IC.196 to C and OS3	1984 08 07	1984 08 07	N/A
84-204	Rezone 0.04 ha parcel of land E/S Victoria Street north of Princess Street from A to C.201	1984 08 28	1984 08 28	N/A
84-206	Rezone 0.04 ha parcel of land S/S Colborne Street west of Division Street from B3 to C.188	1984 08 38	1984 08 28	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
84-218	Rezone 0.5 ha parcel of land E/S Wilson Street north of Weller Avenue from P.126 to A2	1984 09 11	1984 09 11	N/A
84-254	Rezone 0.91 ha parcel of land bounded by Ordnance, Sydenham, Bay and Montreal Street(Providence Manor) from A to A.203	1984 10 23	1985 05 08	R 840642
84-292	Amends By-Law 84-31 re Interim Control – Inner Harbour – extend period of time of effect to June 19, 1985	1984 12 04	1984 12 04	N/A
85-10	Rezone 2.87 ha parcel of land E/S Montreal Street south of Elliot Avenue from M2 to B3.204	1984 12 11	1984 12 11	N/A
85-11	Rezone 3.17 ha parcel of land N/S Bath Road between two extensions of Elmwood Road(Bowling Green Apts) from B1 to B3.202	1984 12 11	1984 12 11	N/A
85-26	Rezone 0.18 ha parcel of land E/S Division Street south of Macdonald-Cartier Freeway and north of Benson street from OS1 to C2	1985 05 28	1985 05 28	N/A
85-58	Rezone 8.72 ha parcel of land S/W corner Queen Mary Road and Greenview Drive from B1 to B3.211	1985 02 19	Repealed – By-Law Number 85-179	
85-76	Rezone 0.03 ha parcel of land W/S Connaught Street north of Concession Street from A5.156 to C2.156	1985 03 26	1985 03 26	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
85-106	Rezone 0.154 ha parcel of land S/W corner Ontario Street and William Street from B to B3.210	1985 05 28	1985 05 28	N/A
85-110	Rezone Inner Harbour – 29.345 ha parcel of land, located within area bounded on the north by River Street, on the east by the Great Cataraqui River on the south by LaSalle Causeway, Place d’Armes, King Street East, the OHIP lands and Bay Street and on the west by Rideau Street	1985 04 30	1986 01 06; 1986 01 30	O 850118 O 850119 R 580270
85-153	Rezone 0.85 ha parcel of land S/W corner Montreal Street and Cassidy Street from M2 to M2.212	1985 06 18	1985 06 18	N/A
85-180	Rezone 3.72 ha parcel of land S/W corner Queen Mary Road and Greenview Drive from B1 to B3.211	1985 06 18	Dismissed 1985 09 19	R 850349
85-196	Rezone 0.18 ha parcel of land N/W corner Montreal Street and Joseph Street from M7 to M7.213	1985 08 06	1985 08 06	N/A
85-253	Rezone 1.778 ha parcel of land between Joyce Street and Guthrie Drive (Block “M”, Plan1675) from B1.112 to A3.113	1985 09 10	1985 09 10	N/A
85-288	By Order R 850226 amends 84-174 to allow 4 storeys or 54 feet for Toronto-Dominion Bank	1985 05 13	1986 05 13	R 850226
85-309	Masonry Walls in Side Yards C2 Zones	1985 12 10	1985 12 10	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
86-95	Rezone .134 ha parcel of land on southeast corner Concession and Alfred Streets from Zone A Residential to Zone A.214	1986 04 01	1986 04 01	N/A
86-96	To add 'a wholesale silkscreen and sportswear business' to permitted uses	1986 04 01	N/A	N/A
86-117	Rezone parcel of land on west side of Montreal Street north of Railway Street (Legion) from Zone M6 Industrial to Zone M6.215 Industrial	1986 04 29	1986 04 29	N/A
86-130	Rezone parcel of land on north side of Dauphin Avenue between Esdon and Guthrie from Zone B1.112 to A3.113	1986 05 06	1986 05 06	N/A
86-144	Rezone parcel of land south side of King Street West (Kingston Grain Elevator) from M5 Waterfront Industrial and OS3 Harbour Open Space to B3.216 Multiple Family Residential(Modified) and P2.217 Water Area (Modified)	1986 06 10	1986 06 10	N/A
86-170	Rezone southeast corner of Elliot Avenue and Lyons Street from C2 Arterial Commercial to B1 Multiple Family Residential	1986 06 24	1986 06 24	N/A
86-198	Rezone north side of Concession between Princess and MacDonnell from C2 (Arterial) Commercial to C2.218 (Arterial) Commercial	1986 08 05	1986 08 05	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
86-213	Rezone 0.12 ha located S/W corner of Bagot Street at John Street from A Residential (one and two family) to B.219 Residential (three to six family)	1986 08 19	1986 06 23	R 860471 O 870017
86-234	Rezone 4 parcels (0.68 ha) between Counter and CN Main Line east of North End Trunk Sewer Line from FP Flood Plain to M Industrial	1986 09 09	1986 09 09	N/A
86-256	Rezone parcel of land south side of King Street West from M5.114 Waterfront Industrial to B1 Multiple Family Residential	1986 11 18	1986 11 18	N/A
87-14	Rezone parcel of land west side of Montreal Street north of Hickson (810 Montreal Street) from M6 Industrial to M6.223 Industrial(Modified)	1987 01 06	1087 01 06	N/A
87-37	Rezone 2 parcels of land – east and west sides of Sir John A. Macdonald Boulevard Extension between Dalton Ave. and the Macdonald-Cartier Freeway from Zone M Industrial and FP Flood Plain to Zone M.220 Industrial	1987 02 03	1987 07 17	N/A
87-61	Administrative Amendments	1987 02 17	1987 02 17	N/A
87-62	Play Space / Amenity Area, Central Business District	1987 02 17	1987 02 17	N/A
87-69	Rezone land north of Counter Street, west of Sir John A. and its Extension, and south of Macdonald-Cartier Freeway from 'M' to 'M.224, from 'FP' to 'M.224', from 'FP' to 'M' and 'M' to 'FP'	1987 02 24	1987 07 18	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
87-97	Rezone parcel of land S/S of Elliot Avenue west of Montreal Street from Zone M2 Industrial to B1.225 (Multiple Family) Residential	1987 04 01	1987 07 10	N/A
87-103	Minimum Side Yards	1987 03 17	N/A	N/A
87-131	Place parcel of land located at the N/W corner of Concession Street (LeRoy Grant Drive) in Zone B3 Multiple Family Residential(High Density) Zone	1987 09 29	N/A	N/A
87-155	Rezone 0.267 ha parcel of land Located East of Rideau Street and South of the Extension of North Street from P to M5	1987 05 26	1987 05 26	N/A
87-156	Rezone 0.9 ha located on E/S Montreal Street south of Greer from A5 to B1.226	1987 06 09	N/A	N/A
87-158	Rezone 0.52 ha located N/S Weller Avenue opposite Butler Street from P to A5	1987 05 26	1987 07 18	N/A
87-160	Rezone parcel of land North of Weller Avenue, West of Compton from C2.101 to A3 and rezone parcel of land N/S Weller Avenue West of Compton Street from A5 to A3	1987 05 26	1987 07 27	Z 870022
87-206	Rezone 221 sq. m. parcel of land located on the S/W corner of Ontario & Earl Street from Zone B (3 to 6 family) residential to Zone B.228 (3 family to 6 family) residential	1987 07 14	1988 02 23	R 870435

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
87-223	Rezone 0.024 ha parcel of land located on S/S of Earl Street (50 Earl Street) from B (3 to 6 Family) Residential to Zone B.229(3 to 6 Family) Residential	1987 07 28	1987 09 23	N/A
87-233	Rezone 0.10 ha parcel of water located N/E corner of Kingston Grain Elevator from OS3 (Harbour Open Space to B3.216 (Modified Multiple Family and Rezone 0.30 ha parcel of water located N/W corner of Kingston Grain Elevator from P2.217 (water area) to B3.216 (Modified Multiple Family)	1987 09 01	N/A	N/A
87-234	Add new section 6.3(m) – (“A” Zone – Existing Two Family Dwelling)	1987 09 01	1987 12 24	R 870537
87-236	Group Homes – Regulations	1987 09 01	N/A	N/A
87-390	Rezone the approximately 0.85 ha parcel of land located on S/W corner of Elliot Avenue and Lyons Street from Zone B2.198 (Multiple Family Dwelling – Unified Ownership) to Zone B1 (Multiple family) residential	1987 11 24	N/A	N/A
88-17	Amend Section 225 to revise the land area and the maximum number of dwelling units on the s/s of Elliot Ave. (west of Montreal St. – known municipally as 128-140 Elliot Avenue)	1988 01 05	N/A	N/A
88-52	Rezone Approximately 0.425 ha parcel of land located on N/S of Counter Street opposite Indian Road from	1988 01 26	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
	Zone FP (Flood Plain) to Zone M.235 (Industrial Modified)			
88-64	Amend Section 4.42 & 5.20 – Home Occupations and Laundering Operations	1988 02 02	N/A	N/A
88-87	Rezone the approximately 0.75 ha parcel of land located on the E/S of Division Street immediately south of C.N.R. Main Line from Zone M1 (Industrial) to Zone M1.237(Industrial)	1988 02 23	N/A	N/A
88-119	Add Definitions for Storage Yard, Vehicle Wrecking Yard and Vehicle Compound	1988 03 30	N/A	N/A
88-152	Rezone the approximate 1.75 ha parcel of land located on the s/e side of Ontario Street at Gore from Zone E of By-Law Number 3077 to Zone SWC1; and rezone the Approximate 1.37 ha parcel of land located on the s/e side of Ontario Street at William from Zone E of By-Law Number 3077 to Zone (H) SWC2	1988 05 04	1988 07 07 1988 10 12	R 880273
88-188	Rezone approximately 2.299 ha parcel of land located on the E/S of Montreal Street opposite the easterly ends of Weller and Drennan from A5 (One and Two Family Residential) to Zone B.236 (Multiple Family Residential Modified)	1988 06 28	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
88-233	Rezone 0.08 ha parcel of land located at 1320 Princess Street from A2 (one family) Residential C2 (Arterial) Commercial	1988 07 27	N/A	N/A
88-267	Rezone 3.2 ha parcel of land located on the N/E corner of Rideau Street and North Street (permit construction of an new Rideaucrest Home for the Aged)	1988 09 14	N/A	N/A
88-269	Rezone approximately 0.69 ha parcel of land located at the s/w corner of Elliot Ave. and Montreal Street from Zone M2 (Industrial) to Zone C2 (Arterial) Commercial and the Approximate 0.79 ha parcel of land located on the n/s of Cassidy Street from Zone M2 Industrial to Zone B1 (Multiple Family) Residential	1988 12 13	N/A	N/A
89-31	Rezone approximately 0.83 ha parcel of land located 62-80 Harvey St. from Zone M2 Industrial to Zone M2.240 Industrial Modified	1989 01 10	N/A	N/A
89-74	Rezone parcel of land adjacent to West City Limit from Zones "D" Development and "EPA" Environmental Protection Area formerly of the Township of Kingston to Zones "M" Industrial, "M.224" Industrial and "FP" Flood Plain and the Parcel of land north of Highway 401 from Zone "OS" Open Space formerly of the Township of Kingston to Zone OS1 (Public) Open Space	1989 02 14	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
89-75	Rezone approximately 0.026 ha parcel of land located on the north side of Concession Street between Macdonnell Street and Connaught Street – 221 Concession Street from Zone A5 (One and Two Family) Residential to Zone C2.244 Arterial Commercial Modified	1989 02 14	N/A	N/A
89-198	Rezone approximately 0.015 ha parcel of land located at the northwest corner of Rideau Street and Barrack Street from Zone A (One and Two Family) Residential to Zone A.246 (One and Two Family) Residential	1989 07 11	N/A	N/A
89-222	Rezone 4.25 ha parcel of land located on the south side of King Street between the Former Kingston Grain Elevator Site and Lake Ontario Park from B1 (Residential) and M5.114 (Industrial to B1.234(Modified Multiple Family Residential)	1990 03 20	1989 10 05	O 880198 Z 880091
89-319	Rezone approximately 0.40 ha parcel of land located on Daly Street North of Weller Avenue, From Zone A5 Residential (One and Two Family) to Zone B3.249 Residential (Multiple Family) Modified	1989 10 24	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
90-49	Rezone the approximately 0.09 ha parcel of land located on the east side of Wilson Street North of Weller Avenue, from Zone P.126 General Recreation Park to Zone A2 Residential (Single Family) and from Zone A5 Residential (One and Two Family) to Zone P.126 General Recreation Park	1990 02 13	N/A	N/A
90-64	Allow the approximately 0.08 ha parcel of land located on the northwest corner of Clergy and Queen Streets to include offices for or in Connection with Businesses or Professions as Permitted Uses	1990 03 06	N/A	N/A
90-65	Rezone the approximately 1.81 ha parcel of land located between Esdon Street, Guthrie Drive and Joyce Street from B1.112 (Multiple Family) Residential Modified to Zone A3.113 (One and Two Family) Residential (Modified)	1990 03 06	N/A	N/A
90-107	Rezone the approximately 0.06 ha parcel of land located on the east side of Ontario Street between Princess and Queen Streets from "C" (Commercial) to Zone 'C.250' (Commercial Modified)	1993 05 04	N/A	N/A
90-109	Rezone the approximately 1.94 ha parcel of land located on the east side of Patrick Street north of Fraser Street from Zone 'M6' (Industrial) to Zone 'B1' (Multiple Family) Residential	1990 04 24	N/A	N/A
90-135	Rezone the approximately 0.06 ha parcel of land located on the east side of Yonge Street south of King Street	1990 05 15	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
	West and known municipally as 97, 99, 101 Yonge Street from Zone P.131 (General Recreation Park Modified) to Zone 'A5.252' (One and Two Family) Residential Modified			
90-257	Rezone the approximately 0.02 ha parcel of land located on the west side of Sydenham Street between West Street and Earl Street and known municipally as 24 Sydenham Street from Zone "A" (One and Two Family) Residential to Zone "B" (Three to Six Family Residential	1990 10 02	N/A	N/A
90-270	Rezone the approximately 0.11 ha parcel of land located on the northeast corner of Princess Street and Indian Road (1335 Princess Street) from Zone 'A1' (One Family) Residential To Zone 'A1.257' (One Family) Residential Modified	1990 11 06	N/A	N/A
90-271	Rezone the approximately 10.9 ha parcel of land located on the southwest corner of Counter Street and LeRoy Grant Drive from Industrial Zone "M2" to Restricted Industrial Zone "M9"	1990 10 23	N/A	N/A
90-330	Rezone the approximately 0.035 ha parcel of land located on the west side of Nelson Street south of Princess and known municipally as 182 Nelson Street from Zone "A" (One and Two Family) Residential to Zone 'A.243' (One and Two Family) Residential Modified	1990 07 20	1990 12 18	O 8900178 Z 8900049
91-17	Policy Change to Include Residential Care Network	1990 12 18	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
91-20	Rezone the approximately 0.033 ha parcel of land located on the west side of Wellington Street between Barrack Street and Bay Street and known Municipally as 266-268 Wellington Street from Zone "C" (Commercial) to Zone 'C.258' (Commercial Modified)	1990 12 18	N/A	N/A
91-248	Rezone the approximately 0.009 ha (92m ²) parcel of land located on the west side of Rideau Street between Barrack Street and Ordnance Street and known municipally as 6-8 Rideau Street from Zone "A" (One and Two Family Residential) to Zone 'C.261' (Commercial Modified)	1991 07 30	N/A	N/A
91-321	Rezone the approximately 0.453 ha parcel of land located on the south side of Elliot Avenue between Harvey and Maple Streets and known Municipally as 216 Elliot Avenue from Zone 'M2' Industrial to Zone 'M2.262' (Industrial Modified)	1991 10 08	N/A	N/A
92-77	Rezone the approximately 1.469 ha parcel of land located with the block bounded by Bay Street, Rideau Street, North Street, and the Wellington Street extension and known municipally as 1 Bay Street from Zone B1.207 (Multiple Family) Residential Modified to Zone (H) B1.263 (Multiple Family) Residential Modified and Zone (H) B1.264 (Multiple Family Residential Modified)	1992 02 11	N/A	N/A
92-136	Rezone the approximately 1.09 ha parcel of land Located on the north side of Union Street Between Alfred	1992 04 28	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
	Street and University Avenue from Zone "E" (Special Education and Medical Uses) to Zone 'E.265' (Special Education and Medical Uses) Modified			
92-250	Rezone the Restricted Industrial Zone M9 (Section 31B)	1992 08 11	N/A	N/A
92-335	Rezone the lands on the North Side of Bay Street between Rideau Street and Wellington Street from Zone (H) B1.264 (Multiple Family) Residential Modified and Zone (H) B1.263 (Multiple Family Residential Modified	1992 10 27	N/A	N/A
92-345	Rezone Approximately 0.48 ha parcel of land located on the north side of Counter Street at LeRoy Grant Drive (known municipally as 177 Counter Street) from Zone 'M' Industrial to Zone 'M.271 (Industrial Modified)	1992 11 03	N/A	N/A
92-346	Rezone FP (Flood Plain) to EPA (Environmental Protection Area)	1992 11 03	N/A	N/A
93-24	Rezone the 19.5 ha parcel of land located on the northeast and northwest sides of Sir John A. Macdonald Blvd. from Zone 'M' Industrial and 'M.220' Industrial Modified to Zone 'M9.220' Business Park Modified	1993 01 12	N/A	N/A
93-89	Rezone the 0.20 ha parcel of land located on the west side Victoria Street north of Princess Street and 0.076 ha parcel of land south side of South Bartlett St. from Zone 'B3' (Multiple Family) Residential to Zone 'C.266' (Commercial Modified)	1993 03 09	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
93-103	Rezone the 0.74 ha parcel of land south side of Princess Street East of Parkway from Zone 'C2' Commercial to Zone 'C2.273' Commercial Modified	1993 04 06	N/A	N/A
93-150	Rezone 0.465 ha parcel of land located on the East side of Bagot Street between Queen Street and Barrack Street from Zone "C" Commercial to Zone C.272 [Commercial Modified]	1993 05 18	1994 01 27	R 930241
93-200	New Regulations for the General Provisions for Zone "A"	1993 06 29	1994 01 04	R 930428
93-201	Rezone the 0.95 ha parcel of land north side of Union Street (between Frontenac and Alfred Streets) from "A" Residential to Zone 'E2.276' Special Education and Medical Uses Modified	1993 06 29	N/A	N/A
93-203	Remove the (H) Symbol Preceding the 'B1.263' (Multiple Family) Residential Modified Zone as it affects only those lands fronting on Rideau Street between Bay and North Streets	1993 07 27		
93-233	Rezone 0.27 Ha parcel of land located at the Southwest Corner of Barrie Street and Earl Street From Zone "E" Special Education and Medical Uses to Zone 'B3.275' (Multiple Family) Residential Modified	1993 07 27	1995 01 03	R 940017
93-255	Rezone the .4 ha parcel of land in the block bounded by Yonge Street, Logan Street and Mowat Avenue from	1993 08 10	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
	Zone 'A5' (One and Two Family Residential) to Zone 'B2.274' (Residential Modified)			
93-290	Rezone the 11.4 ha parcel of land located on the West side of Montreal Street South of Briceland Street from Zone 'M2' Industrial and Zone 'A5' One and Two Family Residential to Zones 'A3.279' (One and Two Family) Residential Modified, 'B1.280' (Multiple Family) Residential Modified, 'P' General Recreation Park, and 'OS2.278' (Private) Open Space Modified	1993 09 14	N/A	N/A
93-354	Rezone the 2.78 ha parcel of land located on the East side of Steve Fonyo Drive North of Terry Fox Drive from Zone 'M.224' Industrial Modified to Zone 'M.224' and 'M.282' Industrial Modified	1993 11 16	N/A	N/A
94-40	Rezone the 0.02 ha parcel of land located on the North side of Johnson St. between Toronto St. and Victoria St. (621 Johnson Street) from Zone 'A' (One and Two Family) Residential to Zone 'A.284' (One and Two Family) Residential Modified	1994 02 08	N/A	N/A
94-47	Rezone the 0.27 ha parcel of land located on the South Side of Railway Street between Division St. and Patrick St. (154 Railway Street) from Zone 'M7' Industrial to Zone 'M7.285' Industrial Modified	1994 02 22	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
94-48	Rezone the 0.11 ha parcel of land located on the Northeast corner of Princess St. and Indian Road (1335 Princess Street) from Zone 'A1.257' (One Family) Residential Modified to Zone 'C2.257' (Arterial) Commercial Modified	1994 02 22	N/A	N/A
94-129	Rezone the 0.2 Ha parcel of land located on the East side of Yonge Street south of Logan Street from Zone 'A5' (One and Two Family) Residential and Zone 'P.131' General Recreation Park Modified to Zone 'B2.283' (Multiple Family) Residential Modified and to Rezone Two other parcels of land located on the East side of Yonge Street from Zone 'A5' (One and Two Family) Residential to Zone 'P.131' General Recreation Park Modified)	1994 05 03	N/A	N/A
94-203	Rezone the 0.001 Ha (128.1 m ²) parcel of land located on the West side of Division Street between Brock Street and Garrett Streets, known municipally as 154 Division Street, From Zone "B" (Three to Six Family) Residential to Zone 'C1.286' Neighbourhood Commercial Modified	1994 06 14	1994 12 05	R 940366
94-204	Rezone the 0.80 Ha parcel of land located on the Northwest corner of Counter Street and Rigney Street and Known Municipally as 121 Counter Street, From Zone 'M' Industrial to Zone 'M.287' Industrial Modified	1994 06 14	N/A	N/A
94-330	Remove (H) Symbol preceding the 'B1.263' and 'B1.264' (Multiple Family) Residential Modified Zones as it affects the balance of the Anglin Bay Developments Inc.	1994 11 08	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
	Property [Phases 2A, 2B and 3] Located within the block bounded by Bay Street, Rideau Street, North Street and the Old Railway Right-of-Way)			
94-338	Rezone 0.17 Ha parcel of land located on the South side of Princess Street, East of Portsmouth Avenue, Known Municipally as 1330 Princess Street, From Zone 'A2' (One Family) Residential to Zone 'C2.288' (Arterial) Commercial Modified	1994 11 08	N/A	N/A
95-62	Rezone 0.078 Ha parcel of land located on the North side of Princess Street Between Indian Road and McMichael Street, Known Municipally as 1313 Princess Street, From Zone 'A1' (One Family) Residential to Zone 'C2.290' (Arterial) (Commercial)	1995 03 07	N/A	N/A
95-80	Amend General Provisions with respect to Schools as a Permitted Use	1995 03 21	N/A	N/A
95-82	Rezone 7.6 Ha parcel of land located on the North side of Dalton Avenue and west of Sir John A. Macdonald Boulevard, Known Municipally as 711 Dalton Avenue, From Zone 'M9.220' Business Park Modified to Zone 'M9.291' Business Park Modified	1995 03 21	N/A	N/A
95-105	Rezone 1.32 Ha (3.268 acres) parcel of land located on the West Side of Montreal Street between Railway Street and Hickson Avenue, and located at the rear of the property Known Municipally as 734 Montreal Street,	1995 04 18	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
	From Zone 'M6' Industrial to Zone 'M6.215' Industrial Modified			
95-189	Rezone land located on the South Side of Briceland Street and West of Montreal Street from Zone 'A3.279' (One and Two Family) Residential Modified to Zone 'A7' (One Family, Semi-Detached and Linked Dwelling) Residential; From Zone 'P' General Recreation Park to Zone 'A7' (One-Family, Semi-Detached and Linked Dwelling) Residential; and From Zone 'A3.279' (One and Two Family) Residential Modified to Zone 'P' General Recreation Park	1995 07 04	N/A	N/A
95-190	Rezone 1.34 Ha parcel of land located at the Northwest Corner of Union and College Streets, Known Municipally as 421 Union Street, From Zone "A" (One and Two Family) Residential to Zone 'E1.289' Special Education and Medical Uses Modified)	1995 07 11	N/A	N/A
95-217	Rezone 0.071 Ha (712m ²) parcel of land located on the North side of Princess Street, East of McMichael Street, known Municipally as 1267 Princess Street, From Zone 'A1' (One Family) residential to Zone 'C2.294' (Arterial) Commercial Modified	1995 08 08	N/A	N/A
96-83	Amend General Provisions with respect to Schools as a Permitted Use	1996 04 02	N/A	N/A
96-130	Rezone 1.813 Ha parcel of land located on the South Side of Barbara Avenue, West of Division Street, from	1996 04 16	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
	Zone 'A5' (One and Two Family) Residential to Zone 'B2.295' (Multiple Family) Residential Modified			
96-83	Amend General Provisions with respect to Schools as a Permitted Use	1996 04 02	N/A	N/A
96-130	Rezone 1.813 Ha parcel of land located on the South Side of Barbara Avenue, West of Division Street, from Zone 'A5' (One and Two Family) Residential to Zone 'B2.295' (Multiple Family) Residential Modified	1996 04 16	N/A	N/A
96-195	Rezone 0.027 ha (265m ²) parcel of land on Northeast Corner of Patrick Street and Markland Street, (51 Patrick Street) from Zone "A" (One and Two Family) Residential to Zone 'A.297' (One and Two Family) Residential Modified	1996 06 11	N/A	N/A
96-232	Rezone 3.54 ha parcel of land located on the West side of Sir John A. Macdonald Boulevard between Counter Street and Terry Fox Drive, (471-475 Counter Street/16 Terry Fox Drive) from Zones 'M.177' Industrial Modified and 'M' Industrial to Zone 'M9.296' Business Park Modified	1996 06 25	N/A	N/A
96-342	Rezone 0.023 ha parcel of land located on the North side of Durham Street west of Macdonnell Street, (85 and 87 Durham Street) from Zone "A" (One and Two Family) Residential to Zone "C" (Central Business District and Upper Princess Street)Commercial	1996 10 15	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
96-343	Rezone 6.04 ha parcel of land located on the East side of Lappan's Lane, South of Dalton Avenue and immediately North of the main line of the Canadian National Railway, from Zone 'M' Industrial to Zone 'M.298' Industrial Modified)	1996 10 15	N/A	N/A
96-360	Rezone 0.27 ha (2,696 m ²) parcel of land located at the southwest corner of Barrie and Earl Streets, (212-218 Barrie Street and 216 Earl Street), from Zone 'B3.275' (Multiple Family) Residential Modified to Zone "E" Special Education and Medical Uses and Zone 'E.275' Special Education and Medical Uses Modified	1996 11 05	N/A	N/A
97-59	Rezone 0.054 ha (544 m ²) parcel of land located on the north side of William Street between Division Street and Barrie Street (255 and 257 William Street) from Zone "E" Special Education and Medical Uses to Zone 'E.299' Special Education and Medical Uses Modified	1997 02 11	N/A	N/A
97-133	Rezone the approximately 0.173 ha (1729 m ²) parcel of land located on the north side of Princess Street between Indian Road and McMichael Street, known municipally as 1317 Princess Street, from Zone 'A1' (One Family) Residential to Zone 'C2.301' (Arterial) Commercial Modified)	1997 05 20	N/A	N/A
97-160	Rezone the approximately 0.193 ha (1925 m ²) parcel of land located on the north side of Princess Street between Indian Road and McMichael Street, known municipally as	1997 06 18	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
	1327 Princess Street, from Zone 'A1' (One Family) Residential to Zone 'C2.302' (Arterial) Commercial Modified)			
97-161	Rezone the approximately 8.3 ha (20.5 acres) parcel of land located on the North Side of Conacher Drive, West of Sutherland Drive, from Zone 'B1' (Multiple Family) Residential to Zone 'A8' (Single Detached, Semi-Detached and Row Dwelling) Residential and Zone 'OS2' (Private) Open Space)	1997 06 18	N/A	N/A
97-292	Rezone the approximately 0.066 ha (655 m ²) parcel of land located on the Northwest Corner of Bagot Street and William Street, known municipally as 180 Bagot Street and 111 William Street, from Zone "B" (Three to Six Family) Residential to Zone 'B.303' (Three to Six Family) Residential Modified.	1997 11 04	N/A	N/A
97-293	Rezone the approximately 0.38 ha (3,759 m ²) parcel of land located on the West Side of Bagot Street, Between Queen Street and Ordnance Street known municipally as 350-352 Bagot Street, from Zone 'P1' (Recreational Building) to Zone 'C1-14' (Central Business System Commercial) of By-Law Number 96-259, "Downtown and Harbour Zoning By-Law of the Corporation of the City of Kingston")	1997 11 04	N/A	N/A
97-308	Rezone the approximately 0.09 ha (913 m ²) parcel of land located on the South Side of Princess Street,	1997 12 02	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
	between Portsmouth Avenue and Hillendale Avenue, known municipally as 1318 Princess Street From Zone 'C2' (Arterial) Commercial of By-Law Number 8499 and Residential of By-Law Number 541 to Zone 'C2.305' (Arterial) Commercial Modified)			
97-309	Rezone the approximately 0.21 ha (2125.5 m ²) parcel of land located on the South Side of Hickson Avenue, Between McKenna Avenue and Hagerman Avenue, known municipally as 50 Hickson Avenue, from Zone 'M7' Industrial to Zone 'M7.304' Industrial Modified)	1997 12 02	N/A	N/A
98-195	Amend "Restricted Area (Zoning) (Anglin Bay Development Inc. – Block Bounded by Bay Street, Rideau Street, North Street, and the proposed Wellington Street Extension)	1998 08 18	N/A	N/A
98-267	Amend Restricted Area (Zoning) (309-315 Johnson Street – recognize funeral home as permitted use)	1998 10 20	N/A	N/A
99-59	Amend Restricted Area (Zoning) – Site Specific – 1344 Princess Street	1999 02 09	N/A	N/A
99-60	Amend Restricted Area (Zoning) – Site Specific – 1343 Princess Street	1999 02 09	N/A	N/A
99-84	Amend Restricted Area (Zoning) – Site Specific – 1309 Princess Street	1999 03 24	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
99-85	Amend Restricted Area (Zoning) – general provisions – “H” holding provisions	1999 03 24	N/A	N/A
99-117	Amend Restricted Area (Zoning) – Anglin Bay Development Inc. – block bounded by Bay Street, Rideau St., North Street and the proposed Wellington Street Extension	1999 04 20	N/A	N/A
99-201	Restricted Area (Zoning) – Zone change – site specific – 241 Union Street	1999 06 01	N/A	N/A
2000-36	Restricted Area (Zoning) (Site Specific – Northwest Corner Of Elliott Avenue And Montreal Street – ‘M2’ Industrial To ‘C2.313 (Arterial) Commercial Modified). (Map replaced)	2000 01 26	N/A	N/A
2000-86	Restricted Area (Zoning) Northwest Corner Of Hickson Avenue And Montreal Street – ‘M6’ Industrial To ‘C1’ Neighbourhood Commercial.	2000 03 26	N/A	N/A
2000-171	A By-Law To Amend By-Law Number 8499 “Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston” (Site Specific – To 1135 Montreal Street – ‘A5’ Residential To ‘A5.314’ Site Specific Residential	2000 06 13	N/A	N/A
2000-261	A By-Law To Amend By-Law 8499, “Restricted Area (Zoning) A By-Law Of The Former City Of Kingston” (Site Specific – 2142 Railway Street – ‘M7’ Industrial To	2000 09 26	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
	'M7.285' Industrial Modified (Clause 1, Report Number 120, 2000)			
2001-10	A By-Law To Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston, "(Site Specific-Lots 941 To 944, Lots 947 To 951 And Part Of Lots 940 And 946 Of Registered Plan A-12, 145 Union Street)	2001 01 23	N/A	N/A
2001-45	A By-Law To Amend By-Law Number 8499 "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (Site Specific – 344 Johnson Street)	2001 01 23	N/A	N/A
2001-48	A By-Law To Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (Site Specific – 1066 King Street West – 'B1.234' (Medium Density) Residential Modified To 'B3.316' (High Density) Residential Modified)	2001 01 23	N/A	N/A
2001-116	A By-Law To Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (Site Specific-To 351 Montreal Street "A" Residential To 'C1.316' Neighbourhood Commercial Modified) (Clause 5, Report Number 50, 2001)	2001 05 01	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2001-182	A By-Law To Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston", (Site Specific-902 Portsmouth Avenue-'A5' Residential To 'C2.320' (Arterial) Commercial Modified) (Clause 3, Report Number 71, 2001)	2001-07 17	N/A	N/A
2001-193	A By-Law to Amend By-Law Number 8499 "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (Site Specific – 157 Alfred Street – Zone 'E.321') (Clause 1, Report Number 75, 2001)	2001-08-28	N/A	N/A
2001-195	A By-Law To Amend By-Law Number 8499 "A By-Law To Amend By-Law Number 8499 "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" – Site Specific – 128-136 Ontario Street – Zone 'B3.210') (Clause 2, Report Number 75, 2001)	2001-08-28	N/A	N/A
2001-197	A By-law to Amend By-law Number 8499 (Zoning) By-law of the former City of Kingston – Site Specific Zoning – A2 to C2.322, 1334 Princess Street. (Clause 4, Report Number 75, 2001)	2001-08-28	N/A	N/A
2001-199	A By-Law To Amend By-Law Number 8499 "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (Site Specific – 1097 – 1101 King Street West – OS1, OS2, OS2.99 (Open Space) To 'A2.319-H' (Low Density) Residential Modified) Aug. 28/01	Withdrawn	N/A	N/A
2001-228	A By-Law To Amend By-Law Number 8499 "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of	2002-08 13	Appealed	

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
	Kingston” (Site Specific – 1097 – 1101 King Street West – OS1, OS2, OS2.99 (Open Space) To ‘A2.319-H’ (Low Density) Residential Modified) (Clause 7, Report Number 84, 2001)			
2001-233	A By-Law To Amend By-Law Number 8499 “Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston”, (Site Specific – 2-6 Cataraqui Street From ‘C1.209’ Modified Neighborhood Commercial To ‘C1.318’ Modified Neighborhood Commercial And 8 Cataraqui Street From ‘B1.207’ Modified Multiple Family Residential To ‘C1.318’ Modified Neighborhood Commercial) (Clause 2, Report Number 86, 2001)	2001-09-25	N/A	N/A
2001-257	A By-Law To Amend By-Law Number 8499 “Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston” (Site Specific – 1412 Princess Street – Zone ‘C2.324’) (Clause 3), Report Number 96, 2001)	2001-10-23	N/A	N/A
2001-269	A By-Law To Amend By-Law Number 8499 Of The Corporation Of The City Of Kingston “Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston” (Part of Lot 24, Concession 3 – 121 Counter Street). (Clause 4), Report Number 105, 2001)	2001-11-20	N/A	N/A
2002-51	A By-Law To Amend By-Law Number 8499 “Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston” (Site Specific – South West Corner Of Cassidy Street And Montreal Street – ‘M2.328’)	2002-02-19	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2002-54	A By-Law To Amend By-Law Number 8499 “Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston” (Site Specific – 1150 – 1202 Division Street and 86 Dalton Avenue – Zone ‘C2.326’ Arterial Commercial Modified)	2002-02-19	N/A	N/A
2002-55	A By-Law To Amend By-Law Number 8499 Of The Former City Of Kingston (Site Specific – South East Corner Of Bath Road And Portsmouth Avenue, 523-533 Portsmouth Avenue – Amend Provisions Of ‘B3.185’ Modified Multi Family Residential Zone To Permit The Construction Of A Third Apartment Building On The Property).	2002-02-19	N/A	N/A
2002-54	A By-Law To Amend By-Law Number 8499 “Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston” (Site Specific – 1150 – 1202 Division Street and 86 Dalton Avenue – Zone ‘C2.326’ Arterial Commercial Modified)	2002-02-19	N/A	N/A
2002-55	A By-Law To Amend By-Law Number 8499 Of The Former City Of Kingston (Site Specific – South East Corner Of Bath Road And Portsmouth Avenue, 523-533 Portsmouth Avenue – Amend Provisions Of ‘B3.185’ Modified Multi Family Residential Zone To Permit The Construction Of A Third Apartment Building On The Property).	2002-02-19	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2002-103	A By-Law To Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", (Site Specific – 205-209 Alfred Street – Zone "E.327'). (Clause d, Report Number 52)	2002-05-07	N/A	N/A
2002-129	A By-Law To Amend By-Law Number 8499, Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston (Site Specific – 190 Binnington Court, Part Of Lots 18 And 19, Concession 3) (Clause 2, Report Number 57)	2002-05-21	N/A	N/A
2002-183	A By-Law To Amend By-Law Number 8499 "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston' (Site Specific – West Side Of Division Street, Between Elliott Avenue And Kirkpatrick Street). (Clause 4), Report Number 79)	2002-07-16	N/A	N/A
2002-184	A By-Law To Amend By-Law Number 8499 "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (Administrative Amendments For Parking Provisions) (Clause 5), Report Number 79)	2002-07-16	N/A	N/A
2002-207	A By-Law To Amend By-Law Number 8499 Of City of Kingston (Site Specific – 993 Princess Street – To Rezone A Portion Of The Property From 'M2' Industrial To 'C.260' Modified Central Business District And Upper Princess Street Zone, And Amend The Provisions Of The 'C.260' Modified Zone To Permit The Development Of An	2002-08-13	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
	Office Building On The Property) (Clause 2), Report Number 86)			
2003-49	A By-Law To Amend By-Law Number 8499 “Former City Of Kingston Zoning By-Law” (Site Specific – 666 Division Street). (Clause (2), Report Number 17)	2003-01-21	N/A	N/A
2003-159	Repealed By 2003-190 And Replaced By 2003-198			
2003-198	A By-Law To Amend By-Law Number 8499, Zoning By-Law For The Former City Of Kingston (Site Specific – 182 Nelson Street – Amend Provisions Of Modified ‘A.243’ Residential Zone).	2003-07-15	N/A	N/A
2003-352	A By-Law To Amend Zoning By-Law Number 8499 Of The Former City Of Kingston (Site Specific – 100 & 104 Day Street – Rezone To Modified “A5.329” Residential Zone). (Clause (3), Report Number 73)	2003-07-29	N/A	N/A
2003-369	A By-Law To Amend By-Law Number 8499 “Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston” (Site Specific – 134 Wilson Street – Rezoning From “A5” To Special “A5.337”).	2003-09-09	N/A	N/A
2003-370	A By-Law To Amend By-Law Number 8499 “Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston” (Site Specific – 151 Yonge Street – Rezone To Modified One-Family And Two-Family Dwelling Zone	2003-09-09	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
	"A5.336T" To Permit The Establishment Of An Aesthetic Salon For A Period Not Exceeding Three Years).			
2003-379	A By-Law To Amend By-Law Number 8499 "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (Administrative Amendments For Model Homes And To Clarify The Intent Of Side Yard Setbacks In The "A1", "A2", "A3", "A4", And "A5" Residential Zones; The "E2" Special Education And Medical Uses Zone And The "M2" Industrial Zone). (Clause (3), Report Number 85)	2003-09-16	N/A	N/A
2003-401	A By-Law To Amend By-Law Number 8499, Former City Of Kingston Zoning By-Law, To Remove The "-H" Holding Symbol Related To The "B3.185-H" Zone (Homestead Land Holdings Inc., Part Of Lots 17 & 18, Concession 1, 523-533 Portsmouth Avenue, In The Former City Of Kingston)	2003-10-28	N/A	N/A
2004-5	A By-Law To Amend By-Law Number 8499 "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (Site Specific – Rezone From "A5" Residential To "C1.338" Neighbourhood Commercial – 19 Concession Street – Barry Hutt And Lara Snider)	2003-12-2	N/A	N/A
2004-16	A By-Law To Amend By-Law Number 8499 "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (Site Specific – 402 Bagot Street Rezoning From "A" To "Special A.334" Residential Zone)	2004-01-06	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2004-21	A By-Law To Amend By-Law Number 8499, Zoning By-Law For The Former City Of Kingston (Site Specific – 130 Wilson Street – Rezoning From “A5” To “Special A5.339”).	2003-12-16	N/A	N/A
2004-48	A By-Law To Amend By-Law Number 8499 Of Former City Of Kingston (Site Specific – 1129 Princess Street And 144 & 152 Avenue Road – “C2” Arterial Commercial And “A1” One-Family Dwelling To “C2.338-H” Special Arterial Commercial Holding Zone).	2004-02-17	N/A	N/A
2004-62	A By-Law To Amend By-Law Number 8499, City Of Kingston, Zoning By-Law, To Remove The “-H” Holding Symbol Related To The “A2.319-H” Zone (The Llynlea Corporation), Lots 14 & 15, Concession 1, Trailhead Place, North Side Of King Street West	2004-03-02	N/A	N/A
2004-240	A By-Law To Amend By-Law Number 8499 Of Former City Of Kingston (Site Specific Zoning – Special One-Family, Semi-Detached And Linked Dwelling “A7.342” Zone And Special One-Family, Semi-Detached And Linked Dwelling “A7.343” Zone, Block 47, Registered Plan Number 13M). (Clause (3), Report Number 68)	2004-07-14	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2004-318	A By-Law To Amend By-Law Number 8499 “Zoning By-Law Of The City Of Kingston” (Site Specific Zoning – Lot 6, Registered Plan 1921, Dalton Avenue/Warne Crescent – Rezone To “C2.342” Modified Arterial Commercial, To Permit The Development Of Commercial Uses). (Clause (10), Report Number 82)	2004-09-21	N/A	N/A
2004-328	A By-Law To Amend By-Law Number 8499 Of Former City Of Kingston – Zone Change From “C2” Commercial Zone In By-Law Number 9087A To A Site Specific “C2.340” Arterial Commercial Zone In By-Law 8499 – 393 Bath Road	2004-10-26	N/A	N/A
2005-31	A By-Law To Amend By-Law Number 8499 “Zoning By-Law” Of The City Of Kingston (Site Specific – 41 Joseph Street – Rezoning From “M6” Industrial, “M7” Industrial And “M6.118” Site Specific Industrial To “B3.346” Site Specific Multiple Family Dwelling Zone). (Clause (2), Report Number 22)	2005-02-01	N/A	N/A
2005-57	A By-Law To Amend By-Law Number 8499 “Zoning By-Law Of The City Of Kingston” (Site Specific Zoning – 39 Russell Street – Rezone To “B.351-H” Modified Three To Six Family Dwelling Zone Holding To Permit The Development Of A Six-Unit Dwelling And An Office Use.) (Clause (3), Report Number 38)	2005-03-01	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2005-84	A By-Law To Amend By-Law Number 8499, Zoning By-Law For The Former City Of Kingston (Site Specific – 330 Elmwood Street).	2005-04-05	N/A	N/A
2005-121	A By-Law To Amend By-Law Number 8499 Of The Corporation Of The City Of Kingston – Site Specific – 1324 Princess Street – Rezone From “A2” Residential To Site Specific Arterial Commercial “C2.305”.	2005-05-03	N/A	N/A
2005-143	A By-Law to Amend By-Law Number 8499 ‘Zoning By-Law of the City of Kingston’ (Site Specific Zoning – 329 Johnson Street, Kingston Centre) (Clause (3), Report Number 75)	2005-06-07	N/A	N/A
2005-208	A By-Law To Amend By-Law Number 8499 “Zoning By-Law Of The Corporation Of The City Of Kingston – (Administrative Changes)” (Clause (2), Report Number 100)	2005-08-23	N/A	N/A
2005-210	A By-Law To Amend By-Law Number 76-26 “Zoning By-Law Of The Former Township Of Kingston – (Administrative Amendments)” (Clause (2), Report Number 100)	2005-03-23	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2005-212	A By-Law To Amend Zoning By-Law Number 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston – (Downtown Residential Review)" (Clause (3), Report Number 100)	2005-08-23	N/A	N/A
2005-220	A By-Law To Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" To Remove The '-H' Holding Symbol Related To The 'B3.346-H' Zone (Kingston Home Base Housing Inc., 41 Joseph Street) (Clause ©, Report Number 98)	2005-08-23	N/A	N/A
2006-28	A By-Law To Amend Zoning By-Law Number 8499 Of The Former City Of Kingston (Zoning Administration)(See Clause (5), Report Number 14)	2006-01-10	N/A	N/A
2006-35	A By-Law To Amend By-Law Number 8499 "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston" (Site Specific Zoning – 23 – 25 West Street, Kingston Central – Rezone From 'B1' Multiple Family Dwelling Zone To 'B1.345' Site Specific Multiple Family Dwelling Zone, To Permit The Development Of Three Dwelling Units At Each Address. (See Clause (2), Report Number 18)	2006-01-26	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2006-36	A By-Law To Amend Zoning By-Law Number 8499 “Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston” (Site Specific Residential Zone ‘A2.354’, 1061 Johnson Street, Kingston Central). (See Clause (3), Report Number 18)	2006-01-26	N/A	N/A
2006-44	A By-Law To Amend By-Law Number 8499 “Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston” – Administrative Amendments(See Clause (6), Report Number 18)	2006-01-26	N/A	N/A
2006-60	A By-Law To Amend By-Law Number 8499 ‘Zoning By-Law For City Of Kingston’ (Site Specific Zoning – 318 Albert Street, Kingston Central – Rezone From “A” One-Family Dwelling And Two Family Dwelling Zone To ‘A.347’ Site Specific One Family Dwelling And Two Family Dwelling Zone, To Permit The Development Of A Single Dwelling Unit And Limited Commercial Use).(See Clause (1), Report Number 33)	2006-02-21	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2006-62	Site Specific Zoning – 111-125 Van Order Drive, , Kingston Central – Rezone From ‘B1’ Multiple Family Dwelling Zone And ‘B2.66’ Site Specific Multiple Family Dwelling (Unified Ownership) To ‘B1.349’ Site Specific Multiple Family Dwelling Zone, To Permit The Development Of A Maximum Pf 162 Dwelling Units And An 615 Square Metre Office On The Site	2006-02-21	Appeal filed March 16-06 OMB Decision rec’d October 4-06	Appeal filed March 16-06 OMB Decision rec’d October 4-06
2006-106	Site Specific – Karlee Court Subdivision – Rezone to ‘A5.356-H’ Modified One Family and Two Family Residential zone to permit semi-detached dwellings	2006-05-02	N/A	N/A
2006-108	Site Specific – Queen’s Centre – Rezone to ‘E.71’ Modified Educational and Medical Zone to permit accessory commercial uses and decreased setback requirements).(See Clause (5), Report Number 59) Appeal date 4:30 pm on Mon May 29, 2006 Note: 2006-108 To return to council June 6/06 and replaced by By-law 2006-145	2006-05-02	N/A	N/A
2006-129	A By-Law to amend By-Law no 8499 of the City of Kingston Site Specific Zoning from A7 to A7.357, 48 to 56 Wiley Street, Lots 54 to 58 of Registered Plan 13M-55 to allow a minimum required lot area of 311 square metres. (See Clause (5), Report Number 72)	2006-05-23	N/A	N/A
2006-145	Site Specific –Queen’s Centre – Rezone to ‘E.71’ Modified Educational and Medical Zone to permit accessory commercial uses and decreased setback	2006-06-06	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
	requirements)(See Clause (5), Report Number 59) (see By-law Number 2006-108)			
2006-167	To Remove The '- H' Holding Symbol Related To The '- H' Zone (Elizabeth Fry Society), 39 Russell Street) (Map change only)	2006-07-18	N/A	N/A
2006-206	A By-Law To Amend Zoning By-Law Number 8499 Of The City Of Kingston, (Modify the Site Specific Zoning – 'A.358' 130 Helen Street)	2006-08-23	N/A	N/A
2006-207	A By-Law To Amend Zoning By-Law Number 8499 Of The City Of Kingston (Modify the Site Specific Zoning – 'B1.360' Zone and 'B1.361' Zone, 94 & 100 Wright Crescent)	2006-08-23	N/A	N/A
2006-228	A By-Law To Amend Zoning By-Law NUMBER 8499 Of The Former City Of Kingston (Site Specific Special Education and Medical Uses Zone 'E1.359', 100 Portsmouth Avenue, Kingston Central).	2006-09-19	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2006-230	A By-Law To Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston", (Site Specific Zone to Permit Food Commissary and Catering Activities and to Increase the Spatial Component to a Maximum of 158m2 or 2% of the Building for the property situated at the northeast corner of the intersection of John Counter Boulevard and Sir John A. Macdonald Boulevard) (See Clause (2), Report Number 111)	2006-10-3	N/A	N/A
2006-239	A By-Law To Amend Zoning By-Law NUMBER 8499 Of The City Of Kingston, (Modify the Site Specific Zoning – 'M.363', 83 Terry Fox Drive)	2006-10-24	N/A	N/A
2006-240	A By-Law To Amend Zoning By-Law NUMBER 8499 Of The City Of Kingston, (Zone Change From 'M2' Industrial and 'OS1' Open Space to 'B1.365-H Holding Special Multiple Family Dwelling Zone, 'P.365-H Holding Special General Recreation Park Zone and 'P' General Recreation Park Zone for the Lands Municipally Known as 645 John Counter Boulevard)	2006-10-24	N/A	N/A
2006-242	A By-Law To Amend Zoning By-Law NUMBER 8499 Of The City Of Kingston, Modify the Site Specific Zoning – 'C1.366', 70 – 72 Cataraqui Street)	2006-10-24	N/A	N/A
2007-17	Modify the Site Specific Zoning – 'A.367', 293 Division Street	2006-12-06	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2007-18	Site Specific Zoning – 317 – 319 Montreal Street, Kingston Centre – Amend the existing “A” One Family Dwelling and Two Family Dwelling Zone, to permit the development of a meeting room and food tasting area associated with the existing catering business	2006-12-06	N/A	N/A
2007-42	Blocks D, E, F, G, N, and O and Part Blocks C, H, M and P and Part of Marker Crescent, Registered Plan 1578	Jan. 23/07	N/A	N/A
2007-76	1150 – 1202 Division Street And 86 Dalton Avenue	Mar. 6/07	N/A	N/A
2007-78	A By-Law To Amend By-Law Number 8499, “Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston” (Site Specific Zone From “A” One Family And Two Family Residential Zone To ‘A.368’ Modified One To Two Family Residential Zone, 544 Frontenac Street) (See Clause (7), Report Number 25) Appeal Date April 4, 07	Mar. 6/07	N/A	N/A
2007-79	Site Specific Zone From “A” One Family And Two Family Residential Zone To ‘B.369’ Modified One To Two Family Residential Zone, 551 Frontenac Street	Mar. 6/07	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2007-95	Special One Family Dwelling 'A2.319' Zone To A Special One Family Dwelling 'A2.371' Zone, 1104 and 1108 Trailhead Place and 1101, 1103, 1105 and 1107 King Street West	Apr. 3/07	N/A	N/A
2007-114	zone symbol to 'A.370-H' of the lands shown as "Subject Lands Rezoned from A to A.370-H 467 and 471 Johnson Street	May 15/07	N/A	N/A
2007-144	Site Specific-349 Mack Street, Rezone to 'A.372' Site Specific One Family And Two Family Dwelling Zone To Permit A Day Care Centre (note: 2007-152 – 349 Mack Street, Kingston – not proceeded with)	Jul. 10/07	N/A	N/A
2007-157	Site Specific-17 Forsythe Avenue, Rezone to 'A.374' Site Specific One Family Dwelling Zone to recognize the existing triplex	Aug. 14/07	N/A	N/A
2007-161	Administrative Amendments (Map 18: remove 285 Queen St., Kingston – see By-law Number 96-259) File: D14-093-2007	Aug. 14/07	N/A	N/A
2007-176	Zone Modification Of The Special Multiple Family Dwelling 'B3-216' Zone, 1102, 1106 And 1110 King Street West File: D14-092-2007	Sep. 18/07	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2007-212	Remove The '-H' Holding Symbol – 'A5.356-H' Zone Karlee Subdivision – Block B, Registered Plan 1675 File: D28-030-2007 Map change only – see map Number 4	Nov. 6/07	N/A	N/A
2008-19	Zone Amendment From "A" to 'A.375', 84 Stephen Street	Dec. 18/07	N/A	N/A
2008-33	Zone Change From EPA To C2.326, 1040 – 1162 Division Street and 88 – 120 Dalton Avenue File D14-095-2007	Jan. 8/08	N/A	N/A
2008-60	Amend Existing Parking Requirements for Hotels / Motels (Note: 2008-51 Amend Existing Parking Requirements for Hotels/Motels Withdrawn Feb. 5/08) File: D14-107-2007	Feb. 19/08	N/A	N/A
2008-65	Zone Modification of "E1.359" Zone, 100 Portsmouth Avenue File: D14-103-2007	Feb. 19/08	N/A	N/A
2008-124	Zone Change from C2.305 to C2, 1324 Princess Street – see Map Number 12 File: D14-119-2008	Jun. 17/08	N/A	N/A
2008-136	Zone Change From A5 to A5.376, 880 Victoria Street File: D14-122-2008	Jul. 15/08	N/A	N/A
2008-137	Zone Change From A To A.377, 198 Mack Street File: D14-121-2008	Jul. 15/08	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2008-160	Zone Change From One Family And Two Family "A" Zone To Special Neighbourhood Commercial 'C1-378' Zone, 372 Division Street Map Number 19 File Number D14-127-2008	Sep. 2/08	N/A	N/A
2008-161	Zone Change From M6 to A.379, 342 Patrick File: D14-120-2008	Sep. 2/08	N/A	N/A
2008-166	Administrative Amendments See Sections: 4.23A; 4.25; 4.28; 4.43a; 4.70 A; 5.3B; 5.8€,(d),€ and (f); 5.17; 5.19; 5.23; 5.42; 5.43; 5.44; and 17 File: D14-125-2008	Sep. 2/08	N/A	N/A
2008-173	Amended By By-Law Number 2007-114, To Remove The '-H' Holding Symbol Related To The 'A.370-H' Zone (Michael, Angelike And Speros Kanellos) 467 And 471 Johnson Street Map Number 19 File: D28-044-2008	Sep. 16/08	N/A	N/A
2008-201	Zone Change From Special Industrial 'M.175' Zone To Special Industrial 'M.380' Zone, 1093 John Counter Boulevard File: D14-128-2008	Nov. 4/08	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2009-24	Zone Change To Amend The Provisions Of The A.119 Zone 391 Barrie Street File: D14-129-2008	Dec. 16/08	N/A	N/A
2009-25	Zone Change from 'Aa5' to 'A5.381' 34 Barbara Avenue File: D14-134-2008	Dec. 16/08	N/A	N/A
2009-43	Zone Change From "E" To 'B1.382' 225 And 227 Earl Street File: D14-137-2008	Mar. 3/09	N/A	N/A
2009-44	Zone Change From 'A5' To 'B1.226-H' 1177 Montreal Street File: D14-135-2008	Mar. 3/09	N/A	N/A
2009-90	Zone Change From C2 To C2.383 1469 Princess Street File Number D14-147-2009	Jun. 16/09	N/A	N/A
2009-93	Zone Change from 'M2' to 'M9.384' 967 Sir John A Macdonald Boulevard File Number D14-143-2009	Jun. 16/09	N/A	N/A
2009-130	Remove the '-H' Holding Symbol Related to the 'B1.364-H' Zone River Park Subdivision 645 John Counter Boulevard (Delegated Authority) File Number D28-039-2007 Zone Change – Map Number 7	Sep. 1/09	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2010-3	Zone Change from Special Education and Medical Use "E" Zone to Special Three to Six Family Dwelling 'B.388' Zone 177-179 Alfred Street File Number D14-153-2009 Zone Change – Map Number 30	Dec. 1/09	N/A	N/A
2010-35	Zone Change from M.224 to M.389 652 Dalton Avenue File Number D14-162-2009 Zone Change – Map Number 1	Jan. 19/10	N/A	N/A
2010-52	Zone Change from Industrial "M7" Zone to Multiple Family Dwelling "B1.390" Zone 771 Montreal Street File Number D14-165-2009 Zone Change – Map Number 15	Mar. 2/10	N/A	N/A
2010-79	Zone Change from A1 to C2.391, 1305 Princess Street File Number D14-174-2010 Zone Change – Map Number 12	Apr. 20/10	N/A	N/A
2010-88	Zone Change from 'M1' to 'M9.392' 817 Division Street File Number D14-157-2009 Zone Change – Map Number 15	May 4/10	N/A	N/A
2010-89	143 Union Street File Number D14-116-2008	May 4/10	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2010-149	Parking amendments to the A7 Zone File Number D14-155-2009	July 20/10	N/A	N/A
2010-167	Zone Change from "A" to 'B3.395', 326 Alfred Street Appeal Filed September 23, 2010 – G. Baker OMB decision rec'd /Motion to Dismiss/issue date Nov. 19/2010 File Number D14-180-2010 Zone Change – Map Number 19	Aug. 24/10	Appeal filed Sep. 23/10 OMB Decision rec'd Nov. 19/10	Appeal filed Sep. 23/10 OMB Decision rec'd Nov. 19/10
2010-168	Zone Change from 'P.98' to 'P1.387', 370 King Street West File Number D14-159-2009 Zone Change – Map Number 29	Aug. 24/10	N/A	N/A
2010-189	Zone Change from 'P.98' to 'E.386' 390 King Street West File Number D14-158-2009 Zone Change – Map Number 29	Sep.7/10	N/A	N/A
2010-203	Zone Change from "A" Zone to 'A.396' Zone105 Colborne Street File Number D14-189-2010 Zone Change – Map Number 19	Oct. 5/10	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2010-215	780 Division Street (By-law Number 2010-200 withdrawn on Sept. 21/10) File Number D14-177-2010	Nov. 2/10	N/A	N/A
2010-230	Zone Change from 'B1.225' to 'B1.225-H' 722, 730 and 766 John Counter Boulevard File Number D14-190-2010 Zone Change – Map Number 15	Nov. 16/10	N/A	N/A
2010-231	Zone Change from Commercial Uses 'C' Zone to a Special Commercial Uses 'C.397' Zone, 630 Princess Street This By-law was passed and appealed. The By-law was amended by the OMB and passed	Nov. 16/10		
2011-95	Zone Change from 'A5' to 'A5.399' 333 Kingscourt Avenue File Number D14-204-2011 Zone Change – Map Number 14	Jul. 19/11	N/A	N/A
2011-96	Zone Change from "A" to 'A.401' and 'A.402' 171 Union Street File Number D14-181-2010 Zone Change – Map Number 30	Jul. 19/11	N/A	N/A
2011-108	Zone Change from M9.220 to M9.403 369 Dalton Avenue File Number D14-203-2011 Zone Change – Map Number 1	Aug. 16/11	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B. Approval	O.M.B. File
2011-120	Zone Change from A2 to A2.405 322 Elmwood Street File Number D14-212-2011 Zone Map Number 21	Sep. 20/11	N/A	N/A
2011-121	Zone Change from "A" to 'A.407' and 'A.408' 98 Centre Street and 110 Centre Street File Number D14-216-2011 Zone Map Number 29	Sep. 20/11	N/A	N/A
2011-125	Amend Section Number 218299 Concession Street File Number D14-142-2009	Sep. 20/11	N/A	N/A
2011-133	Zone Change from A to A.400 195 Union Street File Number D14-205-2011 Zone Map Number 30	Oct. 18/11	N/A	N/A
2011-145	Zone Change from One Family Dwelling and Two Family Dwelling "A" Zone to Holding Special One Family Dwelling and Two Family Dwelling 'A.406-H' 274 Frontenac Street File Number D14-201-2011 Zone Map Number 30	Nov. 15/11	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B Approval	O.M.B.
2011-148	<p>Appeal Filed on September 15, 2011 Zone Change from A7 to A7.404 234 Briceland Street File Number D14-207-2011 Zone Map Number 8</p> <p>By-Law was originally assigned as number 2011-110 and the application was refused the By-Law was withdrawn. The By-law has been reassigned as By-Law 2011-148</p>	March 5, 2012	March 5, 2012	<p>By-Law was assigned as number 2011-110 and the application was refused the By-Law was withdrawn. The By-law has been reassigned as By-Law 2011-148 by order of the OMB March 5, 2012 File Number:PL111035</p>
2012-18	<p>Zone Change from C to C.409, 797 Princess Street File Number D14-218-2011 Zone Map Number 20</p>	Dec. 20/11	N/A	N/A
2012-19	<p>Zone Change from Industrial "IND.B" Zone of former Township of Kingston Zoning By-Law Number 541 to Multiple Family Dwelling (Unified Ownership) Zone "B2.410" of City of Kingston Zoning By-Law Number 8499 1338 Princess Street File Number D14-175-2010 Map 12 of Schedule "A"</p>	Dec. 20/11	N/A	N/A

By-Law Number	Amendment	Date Passed	O.M.B Approval	O.M.B.
2012-89	Zone Change from One and Two Family "A" Zone to Special One and Two Family Residential 'A.412' Zone, 148 Nelson Street File Number D14-224-2012 Map 19 of Schedule "A"	May 15/12	N/A	N/A
2012-90	Zone Change from One and Two Family "A" Zone to Holding Special Three and Six Family 'B.413-H' Zone, 278-280 Frontenac Street File Number D14-227-2011 Map 19 of Schedule "A"	May 15/12	N/A	N/A
2012-91	Zone Change from Multiple Family Dwelling 'B3' Zone to Special Multiple Family Dwelling 'B1.414' Zone, 280 Regent Street File Number D14-236-2012 Map 20 of Schedule "A"	May 15/12	N/A	N/A
2012-120	Zone Change from A to B.416, 522-524 Johnson Street File Number D14-214-2011	Jul. 19/12	N/A	N/A
2012-121	Zone Change from A1 to A1.415, 247 Portsmouth Avenue File Number D14-231-2011	Jul. 19/12	N/A	N/A

2012-134	Zone Change from One and Two Family Dwelling "A" Zone to Special One and Two Family Dwelling 'A.417' Zone, 270 Frontenac Street File Number D14-249-2012	Sep. 19/12	N/A	N/A
2012-141	Remove The '-' Holding Symbol Related to the Holding Special general Commercial 'C2-338-H' to 'C2.335' Zone (1129 Princess Street and 144, 152 Avenue Road)	Oct. 2/12	N/A	N/A
2013-13	Zone change from Industrial Zone 'M2" to Special Industrial Zone "M2-420", 993 Princess Street File Number D14-260-2012 Map 13 of Schedule "A"	Dec. 18/12	N/A	N/A
2013-15	Zone change from One and Two Family Residential "A" Zone to Special One and Two Family Residential 'A.418' Zone, Zoning By-Law Number 8499, 618 and 628 Bagot Street File Number D14-258-2012 Map 17 of Schedule "A"	Dec. 18/12	N/A	N/A
2013-17	Zone Change from Special Industrial 'M7.213' Zone to Holding Special Multiple Family Residential Dwelling 'B1.419' Zone, 540 Montreal Street File Number D14-256-2012	Dec. 18/12	N/A	N/A
2013-45	Zone Change from "A" to 'B.424', 204 Alfred Street File Number D14-253-2012	Feb. 5/13	N/A	N/A
2013-65	Zone change from Commercial 'C.266' Zone to Special Commercial 'C.421-H' Zone, Special Commercial 'B3' Zone to Special Commercial 'C.421-H' Zone, 653-663 Princess Street and 582-604 Victoria Street	Mar. 5/13	N/A	N/A

File Number D14-263-2012

2013-93	Zone Change from Multiple Family Dwelling 'B3" Zone to Special Multiple Family Dwelling 'B3-423', 16, 26, 42 and 58 Leroy Grant Drive Map 13 of Schedule "A"	Apr. 11/13	N/A	N/A
2013-101	Industrial Parking Ratio – See Section 5.3A(b) File Number D14-270-2012	Apr. 23/13	N/A	N/A
2013-104	RE: Zone Change From 'A.42' To 'B3.42' for 1, 11 and 15 Mack Street And 318 & 320 Alfred Street File Number D14-211-2011	Nov. 2013	Nov. 2013	PL 120467
OMB Order PL 120467				
2013-117	Zone Change From One-Family Dwelling And Two-Family Dwelling Zone "A" To Special One-Family Dwelling And Two-Family Dwelling Zone 'A.426' 188 Ordnance Street File Number D14-011-2013	May 21/13	N/A	N/A
2013-119	Zone Change From One And Two Family "A" Zone To Special One And Two Family 'A.425' Zone 334 Victoria Street File Number D14-276-2012	May 21/13	N/A	N/A
2013-128	Zone Change From One And Two Family Dwelling "A" Zone To Special Commercial 'C.422' Zone, From Special Commercial 'C.125' Zone To A Special Commercial 'C.422' Zone And From Commercial "C" Zone To Special Commercial 'C.422' Zone 464 Frontenac Street and 572-574 Princess Street	Jun. 4/13	N/A	N/A

	File Number D14-264-2012			
2013-137	Zone Change From One And Two Family "A" Zone To Special One And Two Family "A" Zone, 450 Frontenac Street File Number D14-019-2013	Jun. 18/13	N/A	N/A
2013-142	Text Change To 'A8' And Zone Change From 'A8' To 'A8.429' And 'A8.430, 311 Conacher Drive File Number D14-245-2012	Jul. 17/13	N/A	N/A
2013-145	Zone Change To Remove The '-H' Holding Symbol Related To The Holding Special Commercial 'C.421-H' Zone 653-663 Princess Street And 582-604 Victoria Street File Number D28-002-2013 Delegated Authority (Map Change)	Jul. 17/13	N/A	N/A
2013-148	Zone Change From Central Business District And Upper Princess Street "C" Zone To Williamsville Main Street Commercial "C4" Zone Williamsville Main Street File Number PLA-D14-007-2013	Jul. 17/13	N/A	N/A
2013-149	Zone Change 326 Alfred Street File Number D14-015-2013	Jul. 17/13	N/A	N/A
2013-151	Zone Change From 3 To 6 Family Dwelling "B" Zone To Holding Special 3 To 6 Family Dwelling 'B.432-H' Zone 363, 365 And 367 Johnson Street File Number D14-238-2012	Jul. 17/13	N/A	N/A
2013-152	Appeal was filed and dismissed – amendment done	Jul. 17/13	May 16/14	N/A

Zone Change From One And Two Family "A" Zone To
 Special Multiple Family Dwelling (Unified Ownership)
 'B2.433' Zone 637-655 Johnson Street
 File Number D14-246-2012

2013-153	Zone Change From "A" To 'A.431' 301 – 303 Sydenham Street File Number D14-003-2103	Jul. 17/13	N/A	N/A
2013-168	Zone Change From "A" To 'A.434' 168 Macdonnell Street File Number D14-025-2013	Aug. 13/13	N/A	N/A
2013-170	Zone Change From Special Arterial Commercial Zone 'C2.83' To Special Education And Medical Uses Zone 'E2.83', 263 and 267 Weller Avenue File Number D14-030-2013	Aug. 13/13	N/A	N/A
2013-191	Zone Change From "E" To 'E.435', 222 Stuart Street, Zone Modification 'E.70' 28 Albert Street File Number D14-013-2013	Mtg #20 Sep. 24/13	N/A	N/A
2013-199	Zone Change From "A" To 'A.436' 37 York Street File Number D14-031-2013	Mtg #21 Oct. 1/13	N/A	N/A
2013-206	Zone Change From One-Family Dwelling And Two-Family Dwelling Zone "A" To Special One-Family Dwelling And Two-Family Dwelling Zone 'A.437' 58 Centre Street File Number D14-032-2013	Mtg #23 Nov. 5/13		
2013-219	Zone Modification Of Special Commercial 'C.421' Zone, 653 – 663 Princess Street And 582-604 Victoria Street File Number D14036-2013	Mtg #24 Nov. 19/13		

2013-220	Zone Change From Special Industrial Zone 'M.224' To Special Industrial Zone 'M.438' 805 Dalton Avenue File Number D14038-2013	Mtg #24 Nov. 19/13
2013-224	Administrative Amendment File Number D14037-2013	Mtg #24 Nov. 19/13
2014-39	Zone Change from One-Family Dwelling and Two-Family Dwelling Zone "A" to Special One-Family Dwelling and Two-Family Dwelling Zone 'A.439' 114 Collingwood Street File Number D14006-2013	Mtg #5 Feb. 4/14
2014-40	Zone Modification to allow 6 dwelling unit in a cellar in the Special Multiple Family Dwelling 'B1.160' Zone 358 Queen Mary Road File Number D14-233-2012	Mtg #5 Feb. 4/14
2014-50	Zone Change from Special Education and Medical Uses Zone "E" to Special Education and Medical Use Zone 'E.441', 218 University Avenue	Mtg #10 Mar. 4/14
2014-66	Zone Change from One-Family Dwelling and Two-Family Dwelling Zone "A" to Special Requirement One-Family Dwelling and Two-Family Dwelling Zone 'A.440', 10 and 12 Collingwood Street)	Mtg #13 Ap. 1/14
2014-79	Zone Change from One-Family Dwelling and Two-Family Dwelling Zone "A" to Special Requirement One-Family Dwelling and Two-Family Dwelling Zone 'A.445', 9 Morton Way	Mtg #17 May 6/14
2014-80	Zone Change from One-Family Dwelling and Two-Family Dwelling Zone 'A5' to Special One-Family Dwelling and	Mtg #17 May 6/14

Two-Family Dwelling Zone 'A5.442', 12 and 14 Kingscourt Avenue

2014-81	Zone Change from 'Three To Six Family Dwelling Zone (B)' to a site specific 'Three to Six Family Dwelling Zone (B.443)', 318 University Avenue	Mtg #17 May 6/14
2014-90	Zone Change from One-Family Dwelling and Two-Family Dwelling Zone "A" to Special Requirement One-Family Dwelling and Two-Family Dwelling Zone 'A.446', 16 James Street	Mtg #18 May 20/14
2014-91	Zone Change from One-Family Dwelling and Two-Family Dwelling Zone 'A5' and Environmental Protection Area Zone 'EPA' to Special Three to Six Family Dwelling Zone 'B.444' and Environmental Protection Area Zone 'EPA', 1006 Portsmouth Avenue	Mtg #18 May 20/14
2014-100	Zone change from "B" to 'B.447', 273 Alfred street, zone change from "B" to 'B.448, 273 and 275 Alfred street	Mtg #20 Jun. 3/14
2014-104	Removal of Holding Symbol, 363, 365 & 367 Johnson Street)	Mtg #20 Jun. 3/14
2014-106	Zone Change from "A" to 'A.449, 48 Colborne Street	Mtg #21 Jun. 17/14
2014-108	Zone Change to further Amend Special Requirement Industrial 'M2.262', 824 John Counter Boulevard	Mtg #21 Jun. 17/14
2014-109	Zone Change from General Industrial 'M7' Zone to Special General Industrial 'M7.451' Zone, 141 Hickson Avenue	Mtg #21 Jun. 17/14

2014-122	Zone Change From "A" To 'A.450', 7 Pine Street File D14-070-2014	Mtg #24 Jul. 16/14		
2014-126	To Remove lands from Zoning By-Law Number 8499 and rezone them to the "C1-32" , "C1-33" and "C1-34" Zone of Zoning By-Law 96-259 and to change the symbol on lands from "C1-1" to "C1-31"; lands known as 221 Queen Street, 151, 153 and 157 Clergy Street, 30- 34 Colborne Street; File Number D14-047-2014	Mtg #24 Jul. 16/14		
2014-129	Zone Change from One-Family Dwelling and Two-Family Dwelling Zone "A" to Special Three to Six Family Dwelling Zone 'B.453', 401 Barrie Street (See Clause (4), Report Number 79) File Number D14-053-2013	Mtg #24 Jul. 16/14		
2014-150 Deferred	OMB Appeal made by Jay Patry Enterprises Inc. regarding the Deferral of the By-law for a proposed Zone change from Commercial "C" Zone and Multiple Family Dwelling "B3" Zone to Special Multiple Family B3-452 Zone at 495-513 Frontenac Street	By-Law was not passed it was deferred and OMB approved application on April 2, 2015	April 21, 2015	OMB Appeal won by Jay Patry enterprises Inc. Number: PL110156
		By-Law does not need third reading as the OMB has approved the amendment in the By-Law and the amendment will be done		

2014-151	Zone Change from "A2" to "A2.455, 140 Liddell Crescent) (See Clause (1), Report Number 94)	Mtg #27 Sep. 9/14		
2014-152	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Zone Change from One-Family Dwelling and Two-Family Dwelling Zone "A" to Special Three to Six Family Dwelling Zone 'A.454', 40 Helen Street) (See Clause (22), Report Number 94)	Mtg #27 Sep. 9/14		
2014-159	Zone Change from "A" to "A.456, 443 Frontenac Street)	Mtg #28 Sep. 23/14		
2014-189	Zone Change from One and Two Family Dwelling Zone "A" to Site-Specific One and Two Family Dwelling Zone A.457', 188 Churchill Crescent)	Mtg. #32 Nov. 18/14		
2015-13	Zone Change from "A" to 'A.458', 50 Hamilton Street	Mtg. #3 Dec. 16/14		
2015-22	Zone Change from "A" to 'A.459' and from "A" to 'A.460', 94 and 96 College Street)	Mtg. #5 Jan. 27/15		
2015-36	Replacing B.303 Zone Provisions, 180 Bagot Street, 182 Bagot Street, 184 Bagot Street and 111 William Street)	Mtg. #8 Feb. 17/15		
2015-62	Zone Change from C4-H to B3-462, 212 Colborne Street (493 Princess Street), C4-H to C4.463, 495-497 Princess Street, 2 and 10 Creighton Street, and C4-H to C4-464, 19- 23 Chatham Street) Map 19 of Schedule B	March 25/2015	Dec/8/2017	PL150371

2015-63	(Zone change from C4-H to C4.465, 462-468 & 480 Princess Street, 327 University Avenue, Map 19 of Schedule B	March 25, 2015	Dec/8/2017	PL150371
2015-73	(Zone Change from C2.244 to C2.244-H, 221 Concession Street)	Mtg. #12 Apr. 7/15		
2015-74	(Zone Change from B1 to B1.467, 36 Cliff Crescent)	Mtg. #12 Apr. 7/15		
2015-79	(Zone Change to Special Multiple Family Dwelling Zone B1.390, 771 Montreal Street	Mtg. #13 Apr. 21/15		
2015-81	Zone change from A5 to A5.461, 705 King Street West	Mtg. #13 Apr. 21/15		
2015-88	Zone change from A2 to A2.468, 432 Union Street and Amendment to the Map	Mtg. #14 May 5/15		
2015-89	Zone Change from 'M1' Industrial Zone to Site-Specific 'M9.469-H' Industrial Zone and Site-Specific Arterial Commercial 'C2.471-H' Zone, 1122 John Counter Boulevard	Mtg. #14 May 5/15		
2015-91	Changing Zone Symbol of the subject site from C4-H to C4 A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Removal of Holding Symbol, 682 Princess Street) (Delegated Authority)	Mtg. #14 May 5/15		

2015-97	Zone Change from One-Family Dwelling and Two-Family Dwelling 'A5' Zone to Site-Specific Three to Six Family Dwelling 'B.470 Zone, 13, 15, 17 Grange Street	May 19/15
2015-104	Zone Change from 'A2' to 'A2-466', 41 Mackenzie Crescent	Jun. 2/15
2015-105	Zone Change from 'M2" Industrial Zone to Site-Specific "M9.476-H" Industrial Zone and 'EPA' Environmental Protection Area Zone, 1370 John Counter Boulevard)	Jun. 2/15
2015-106	Zone Change from "A" to 'A.472, from "A" to 'A.473' and from "A" to 'B.474', 371 Division Street	Jun. 2/15
2015-109	(Zone Change from "A" to 'A.477', 53 West Street and from "A" to 'A.478, 55 West Street)	Jun. 16/15
2015-124	(Zone Change from "A" and "C4-H" to "C4.480-H", 83 Durham Street) Clause (1) to Report 68-15-18 File Number: D14-108-2015	Jul. 14/15
2015-127	(Zone Change from Special Education and Medical Uses Zone "E" to Site-Specific Three to Six Family Dwelling Zone 'B.479', 149 Collingwood Street)	Jul. 14/15
2015-128	(Zone Change from A3 to A3.481, 129 Calderwood Drive)	Jul. 14/15
2015-129	(Zone Change from "B" in Zoning By-Law Number 8499 to "C1-37 and in Zoning By-Law Number 8499 to "C1-38") Deleting 210 in Part VIII-Exceptions to Various Zone Classifications (210) B3.210 (Deleted)	Jul. 14/15
2015-130	(Zone Change from "E" to 'E.475', 217 to 219 University Avenue and 330 William Street)	Jul. 14/15

2015-161	(Zone Change from Commercial Uses Zone "C" to Special Commercial Uses 'C.482', 14 Garrett Street)	Sep. 1/15
2015-168	(Zone Change from three to six Family Dwelling Zone B to Site-Specific Three to Six Family Dwelling Zone B 483, 440 Brock Street)	Sep. 15/15
2015-181	Administrative Amendments to the Williamsville Main Street and to permit surface parking lots in the (C4) Williamsville Main Street Commercial Zone as a temporary use for a period of three years.	Oct. 6/15
2015-200	Zone Change from A to A.484, 84 Centre Street	Nov. 17/15
2016-19	Zone Change from General recreation Park Zone 'P' to Special general Recreation Park Zone 'P.485'	Dec. 15/15
2016-46	Zone Change from A5 to C1.487, 873 and 877 Division Street	Jan. 26/16
2016-50	Zone Change from Special One Family Semi-Detached and Linked Dwelling Zone A7.357 to Special One Family, Semi-Detached and Linked Dwelling Zone A7.488	Jan. 26/16
2016-59	Changes to Map 7 and Zone Change from Site-Specific General Recreation Park 'P.126' Zone, Site-Specific Recreation Building 'P1.126' Zone, One-Family Dwelling 'A2' Zone and Multiple Family Dwelling (Unified Ownership) 'B2' Zone to Site-Specific One-Family Dwelling and Two-Family Dwelling 'A5.489' Zone, Site-Specific One-Family Dwelling 'A2.490' Zone and Site-Specific General	Feb. 17/16

Recreation Park 'P.126' Zone, 80 Daly Street, 50
MacCauley Street and 199 Wilson Street

2016-60	Zone Change from C4-H to C4.486, 720 Princess Street	Feb. 17/16
2016-86	Map Change and Zone Change from One-Family Dwelling and Two-Family Dwelling Zone "A" to Special Three to Six Family Dwelling Zone 'B.492', 462 Barrie Street	Apr. 19/16
2016-87	Zone Change from One and Two Family Dwelling "A" Zone to Site-Specific Neighbourhood Commercial 'C1.493' Zone, 169 Union Street	Apr. 19/16
2016-89	14 Garrett Street – amendment to repeal and replace C.482 Zone	Apr. 19/16
2016-115	(Zone Change from Site Specific Arterial Commercial 'C2.101' Zone to Site Specific Arterial Commercial 'C2.491-H' Zone, 23 Soccer Lane)	Jun. 7/16
2016-127	(Zone Change from One-Family and Two-Family Dwelling Zone 'A4' to Special One-Family and Two-Family Dwelling Zone 'A4.495', 230 Victoria Street) and amendment to Map as well	June 23/16
2016-129	Amendment to include a definition of a Casino Gaming Facility	June 23/16
2016-136	(Zone Change from A to A.497, A.498 and A.499, 469, 471 and 473 Earl Street). (See Clause 1) Report Number 73) and amendment to Map as well	June 23/16
2016-142	(Zone Change from Site Specific 'M9.296' Zone to Site-Specific 'M9.296-H' Zone, 1471-1475 John Counter Boulevard and 16 Terry Fox Drive; and Zone Change from	June 23/16

Site-Specific 'M.177' Zone to Site-Specific 'M9.496-H' Zone,
1479 John Counter Boulevard)
and amendments to maps as well

2016-169	(Zone Change from One-Family Dwelling Zone 'A2' to Special One-Family and Two-Family Dwelling Zone 'A3.500, 103 Richardson Drive)	August 9/16
2016-170	(Zone Change from One-Family Dwelling and Two-Family Dwelling Zone 'A' to Special One-Family Dwelling and Two-Family Dwelling Zones 'A.503' and 'A.504', 92 Cataraqui Street and 15 James Street)	August 9, 2016
2016-171	(Zone Change from 'E' to 'E.501', 241 University Avenue)	August 9, 2016
2016-186	(Zone Change from A to A.505 113 Raglan Road	September 20, 2016
2016-190	(Zone Change from 'A' Zone to 'A.508' Zone, 85 King Street East and 46 Simcoe Street)	October 4, 2016
2016-192	(Zone Change from One-Family Dwelling and Two-Family Dwelling Zone 'A' to Special One-Family Dwelling and Two-Family Dwelling Zones 'A.506', Markland Street) and amendment to Map as well	October 4, 2016
2016-196	(Zone change from A to A.502)	October 18, 2016
2016-198	(Zone Change from One Family Dwelling 'A2' Zone to Site-Specific One Family Dwelling 'A2-507' Zone, 256 Elmwood Street)	October 18, 2016
2016-200	(Zone Change from Site-Specific Multiple Family Dwelling (Unified Ownership) 'B2.295' Zone to Site-Specific Multiple Family Dwelling 'B2.509' and 'B2.510-H' Zones, Barbara Avenue and Fray Street)	November 1, 2016

2016-211	Map Amendment to change the Zone Symbol from B2.295 to B2.509 and B2.510-H (Zone Change from One-Family and Two Family Dwelling Zone 'A' to Special One-Family and Two-Family Dwelling Zone 'A.511', 27 Pine Street)	November 15, 2016		
2017-17	(Zone change from A to A.513, 22 Davidson Street)	December 20, 2016		
2017-36	(Zone change from 'C4' to 'C4.515' 682 Princess Street)	January 24, 2017		
2017-38	(Zone change from Williamsville Main street Commercial Zone C4-H (T1) to Williamsville Main Street Commercial Zone C4.514)	January 24, 2017		
2017-39	(Zone change from A5 to A5.512, 37 and 39 Churchill Street)	January 24, 2017		
2017-44	(Amend the Provisions of the C3.85 Zone)	February 21, 2017		
2017-71	(Zone change from One and Two Family Dwelling 'A4' Zone to Site Specific Three to Six Family Dwelling 'B.516' Zone, 230 Collingwood Street)	March 21, 2017		
2017-72	(Accessible Parking Space Size and Rate Change and a Zone Minimum Area Change)	March 21, 2017		
2017-79	(Zone change from One and Two Family Dwelling 'A' Zone to Site Specific Multiple Family Dwelling 'B3.517' zone and General Recreation Park 'P' Zone, 671 Brock Street)	April 4, 2017	July 18, 2017	PL170543
2017-80	(Zone Change from One-Family Dwelling and Two-Family Dwelling 'A5' Zone to Site-Specific One-Family Dwelling and Two-Family Dwelling 'A5.519', 'A5.520', 'A5.521' and 'A5.522' Zones, 735, 743 King Street West)	April 4, 2017		
2017-92	(Zone Change from Special Education and Medical Uses 'E' Zone to Site Specific Special Education and Medical Uses 'E.523' Zone, 271, 273 Earl Street)	April 18, 2017		

2017-99	(Zone Change from B1 to B1.524, 332 Yonge Street)	May 2, 2017		
2017-105	(Zone Change from 'A' to 'B1.518', 5 Couper Street)	May 16, 2017		
2017-106	(Zone Change from 'A5' to 'A5.525', 174 Wilson Street)	May 16, 2017		
2017-167	(Removal of Conversion Provisions)	August 8, 2017		
2017-168	Amenity Area and Landscaped Open Space Provisions	August 8, 2017		
2017-187	(Zone Change from 'E2' to 'A8.526-H', 'B3.527-H', and 'EPA', 752 King Street West (Kingston Provincial Campus)) (See Clause (1), Report Number 92)	September 5, 2017		
2017-188	(Zone Change from C4 to C4.528, 346 University Avenue) (See Clause (2), Report Number 92)	September 5, 2017		
2017-189	(Zone Change from Three to Six Family 'B' Zone to Site-Specific Three to Six Family Dwelling 'B.529' Zone, 66 Earl Street) (See Clause (3), Report Number 92)	September 5, 2017		
2017-191	(Zone Change from One Family Dwelling and Two-Family Dwelling Zone 'A' to Special One Family Dwelling and Two Family Dwelling Zones 'A.531' and 'A.532', 94 Carruthers Avenue and 371 College Street) (See Clause (5), Report Number 92)	September 5, 2017		
2017-192	(Zone Change from One-Family Dwelling and Two-Family Dwelling Zone 'A' to Special One Family Dwelling and Two-Family Dwelling Zones 'A.530' and 'A.534', 46 Cowdy Street and 3 Adelaide Street) (See Clause (6), Report Number 92)	September 5, 2017		

2017-198	(Zone Change from 'B' to 'B.533', 85 Sydenham Street)	September 19, 2017		
2017-200	(Replace 'A.417' Regulations)	September 19, 2017		
2017-206	(Zone change from One-Family Dwelling Two-Family Dwelling 'A5' Zone to Site-Specific One-Family Dwelling 'A5.535 Zone (672 Division Street)	October 3, 2017		
2017-207	replace 'A.144' Regulations, 235 Montreal Street)	October 3, 2017		
2017-229	Zone Change from One-Family and Two-Family Dwelling 'A5' Zone to Site-Specific One-Family and Two-Family Dwelling 'A5.536' & 'A5.537' Zones	November 7, 2017		
2017-230	(Amendment to Site-Specific C2.2018 Zone	November 7, 2017		
2017-232	Amendment to Map-31 by removing the zone symbol and lands known municipally as 225 King Street East	November 7, 2017		
2017-234	Zone change from 'A.141' to B.538-H', 306-308 Montreal Street	November 7, 2017		
2018-3	Zone Change from 'A' Zone to Site-Specific 'A.540' Zone, 102 and 104 Park Street	December 5, 2017		
2018-4	Zone Change from 'A' to 'B.539'	December 5, 2017		
2018-14	Zone Change from 'A5' & 'EPA' to 'B.541' & EPA', 1010 Portsmouth Avenue; and Zone Change from 'A5' & 'EPA' to 'B.542' & 'EPA'	December 19, 2017		
2018-51	Amendment to Williamsville Main Street Commercial Zone "C4"	February 6, 2018		
2018-54	Zone Change from One-Family Dwelling and Two-Family Dwelling Zone 'A' to Special One-Family Dwelling and Two-Family Dwelling Zones 'A.544' and 'A.545', 14 North Bartlet Street and 644 Victoria Street	February 20, 2018		

By-Law Number	Amendment	Date Passed	LPAT Approval	LPAT
2018-63	Zone Change from M Industrial to site-specific business Park M9-546 Zone, and Environmental Protection Area Zone, 133 Dalton Avenue	March 6, 2018		
2018-90	Zone Change from A to A.549 and Map Zone Symbol Change, 143 Beverley Street	May 1, 2018		
2018-97	Text Change to 'A8' and Zone Change from 'A8' to 'A8.550', 311 Conacher Drive	June 12, 2018		
2018-98	Zone Change from Special Education and Medical Uses Zone 'E' to Special Education and Medical Uses Zone 'E.551' and 'E.552', 434 and 438 Johnson Street	June 12, 2018		
2018-109	(Zone Change from 'A', 294 Rideau Street, to 'A.553' and 'A.554', 7 James Street and 11 James Street, respectively)	June 26, 2018		
2018-111	A By-Law to Amend By-Law 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from Williamsville Main Street Commercial 'C4-H (T1)' Zone to Williamsville Main Street Commercial 'C4.555' Zone, 575, 579, 601, 605, 611 Princess Street & 510 Frontenac Street	June 26, 2018	This By-Law was appealed on July 19 2018. LPAT dismissed the Appeal and sent a letter dated August 24, 2019 stating same	Case Number: PL180674
2018-122	(Zone Change from 'A4' to 'A4.556', 254 Collingwood Street)	July 10, 2018		
2018-126	(Zone Change from Williamsville Main Street Commercial 'C4-H (T1)' zone to Williamsville Main Street Commercial 'C4.557-H' zone, 652 Princess Street, 662-670 Princess Street & 551 Victoria Street)	July 10, 2018		

By-Law Number	Amendment	Date Passed	LPAT Approval	LPAT
2018-136	(Zone Change from A to A.558, Albert Street)	September 4, 2018		
2018-137	(Zone Change from E2 to E2.559, 355 King Street West)	September 4, 2018		
2018-150	(Amendments to the Provisions of the Site Specific B1.58 Zone – 1 Curtis Crescent)	September 4, 2018		
2018-154	(Zone Change from 'A5' to 'B3.560', 9&15 Portsmouth Avenue and 797 King Street West)	September 18, 2018		
2018-177	Removal of Holding Symbol, 306-308 Montreal Street	November 20, 2018		
2018-179	<p>This By-Law was initially assigned as By-Law Number 2018-76 and the application was refused and By-Law Withdrawn. Notice of Refusal was appealed The appeal was settled by LPAT and It has been reassigned as By-Law Number 2018-179</p> <p>(Zone Change from One and Two Family Dwelling 'A4' zone to site-specific One and Two Family Dwelling 'A4.547' and 'A4.548' Zones, 480 Earl Street and 268 Victoria Street)</p> <p>Ordered by LPAT August 15, 2019 File Number: PL180475</p>	<p>August 15, 2019</p> <p>Passed by order of LPAT</p>		<p>Passed by order of LPAT August 15, 2019</p> <p>File Number: PL180475</p>

By-Law Number	Amendment	Date Passed	LPAT Approval	LPAT
2019-6	Amend Section 23C.5 to permit surface parking lots in the Williamsville Main Street commercial Zone (C4 Zone)	December 18, 2018		
2019-15	Zone Change from Multiple-Family Dwelling 'B3' Zone to Special Multiple-Family 'B3.561' Zone	February 5, 2019		
2019-35	Zone Change from one family and two family dwelling 'A' Zone to Site Specific One Family and Two Family Dwelling 'A.562" Zone 480 and 482 Albert Street	March 5, 2019		
2019-78	Zone Change from Recreational Building 'P1 Zone to Site Specific Recreational Building 'P1.543-H' Zone, 303 York Street and amend the Site Specific General Recreation Park Modified 'P.131' Zone, 53 Yonge Street	June 4, 2019	The By-Law was appealed on June 26, 2019	The appeal was subsequently withdrawn by the appellant, dated May 25, 2021 regarding LPAT File Number PL190306 and PL 190305 and LPAT confirmed that the By-Law was legal and binding as of date it was passed June 4, 2019

2019-84	Zone Change from A.173 to amended A.173, 330 Division	June 19, 2019		
2019-87	Second Residential Units as well as the addition of Schedule M and N	June 18, 2019		
2019-92	Amending By-Law Number (3077) Second Residential Units	June 18, 2019		
2019-93	Amending By-Law 8402, "A By-law to amend By-Law Number 3078, Zoning By-Law for the 1930, 1931 and 1952 Annexation Areas (Zone change from R1B Residential to R2B and R2 Residential and C1 Commercial – 33+-Acres Southwest Corner Counter Street and Sir John. A. MacDonald Boulevard)	June 18, 2019		
2019-108	Zone Change from 'C' Zone to Site-Specific 'C.570' Zone, 168 Division Street	July 9, 2019		
2019-118	(Amending the Site-Specific Special Multiple Family 'B3.452' Zone, 495 – 513 Frontenac Street)	August 13, 2019	The appeal was subsequently withdrawn by the LPAT Decision PL190447 dismissing the appeal on June 11, 2020	
2019-134	Zone Change from Multiple Family Dwelling 'B3' Zone to a Site-Specific Multiple Family Dwelling 'B3.571' Zone, 235 and 243 Colborne Street and 60,62, and 64 Elm Street	Sept. 3, 2019		
2019-145	(Residential Parking and Driveways)	October 1, 2019		

2019-150	(Residential Parking and Driveways) Amending By-Law Number 8402 "A By-Law to Amend By-Law Number 3078, Zoning By-Law for the 1930, 1931 and 1952 Annexation Areas"	October 1, 2019		
2019-151	(Residential Parking and Driveways) amending By-Law Number 3077 "A Restricted Area (Zoning) By-Law for the City of Kingston"	October 1, 2019		
2019-159	Zone Change from 'A' to Site-Specific 'B.565' 189 Montreal Street and amendment to Map 18 of Schedule A attached to the By-Law 2019-159	October 15, 2019		
2020-2	Zone Change from One-Family Dwelling and Two-Family Dwelling Zone "A5" to a Site-Specific One-Family Dwelling and Two Family Dwelling Zone "A5.575" and a Site-Specific One-Family Dwelling and Two-Family Dwelling Zone "A5.576" (85 First Avenue)	December 4, 2019		
2020-10	Zone Change from 'A' to Site-Specific 'A.566', (60 Collingwood Street)	December 17, 2020		
2020-12	Zone change from 'A5' to 'B.569', (16 Grange Street)	December 17, 2020		
2020-36	Zone change from A5.520 'A5.521' and 'A5.522' Zones to a Site-Specific 'B3.578' Zone, 15, 21 & 27 McDonald Avenue and 60 & 62 Baiden Street, and Amendment to Map 28 of Schedule "A" to Adjust the Boundary of the 'A5.519' Zone	January 21, 2020		
2020-41	(Zone Change from One and Two Family Dwelling 'A5' Zone and Environmental Protection Area 'EPA' Zone to Special Three to Six Family Dwelling 'B.583' Zone and Environmental Protection Area 'EPA' Zone, 1020 Portsmouth Avenue)	February 4, 2020		

2020-42	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from Multiple Family Dwelling 'B1' Zone to Site-Specific Multiple Family Dwelling 'B1.579' Zone and Site-Specific Multiple Family Dwelling 'B1.580' Zone, 11 and 27 Wright Crescent)	February 4, 2020		
2020-56	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from 'A' to 'C1.577', 189 King Street West)	March 24, 2020		
2020-57	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston", As Amended (Zone Change from One Family and Two Family Dwelling 'A' Zone to Site-Specific One Family and Two Family Dwelling 'A.582' Zone, 42 Beverley Street)	March 24, 2020		
2020-58	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston", As Amended (Zone Change from One Family and Two Family Dwelling 'A' Zone to Site-Specific One Family and Two-Family Dwelling 'A.581' Zone, 49 Beverley Street)	March 24, 2020		
2020-78	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from 'B1.207' Zone to Site -Specific 'C1.587' Zone and 'B1.588' Zone, 305 and 323 Rideau Street)	May 5, 2020		
2020-116	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Site-Specific Zone Change from 'A.355' to 'A.590', 317 Montreal Street)	August 11,2020		
2020-117	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Site-Specific Zone Change from 'A' to 'A.589-H', 2 Couper Street)	August 11, 2020		

2020-133	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from 'M9' to 'M9.591' and 'M9.591-H', 31 Hyperion Court)	September 15, 2020		
2020-159	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from Multiple Family Dwelling 'B3' Zone to Special Multiple Family Dwelling 'B3.586' Zone, 67-69 Chatham Street)	October 20, 2020		
2020-160	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from One and Two Family Dwelling 'A' Zone to Special One and Two Family Dwelling 'A.595' Zone, 71 and 73 Adelaide Street, and One and Two Family Dwelling 'A' Zone to Special One and Two Family Dwelling 'A.596' Zone, 425 and 427 Division Street)	October 20,2020		
2020-166	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from B1.207 to B1.594, 9 North Street)	November 3, 2020		
2020-174	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from One-Family and Two-Family 'AS' Zone and Environmental Protection Area 'EPA' Zone to a Site- Specific Three to Six Family Dwelling 'B.597' Zone and Environmental Protection Area 'EPA' Zone, 1024 Portsmouth Avenue)	November 17, 2020		
2021-02	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Changes to the Williamsville Main Street Commercial Zone "C4")	December 1, 2020	July 16 2021	LPAT File Number PL210077

2021-16	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Site-Specific Zone Change from 'A5' to 'A5.598', 27 Gardiner Street)	January 12, 2021		
2021-18	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from 'M6', 'M7', 'M6.97' and 'M9.392' to 'M7.599', 771 Division Street & 795-799 Division Street)	January 12, 2021		
2021-26	A By-Law to Amend By-law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from Special Education and Medical Uses 'E' Zone to Site Specific Three to Six Family Dwelling 'B.600' Zone, 192 Union Street	February 2, 2021		
2021-39	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from 'A5' to 'A5.602', 872 Johnson Street)	March 2, 2021		
2021-47	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Site-Specific Zone Change from 'B.303' to 'B.601' and Deletion of Section 303(a), 180 & 182 Bagot Street)	March 23, 2021		
2021-55	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Removal of Holding Symbol, 449 Princess Street)	March 23, 2021		
2021-63 OLT Ordered that appeal be dismissed	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Second Residential Units, Bedroom Limits)	April 6, 2021	August 26 2021	OLT File Number PL210298

2021-93	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from One-Family Dwelling and Two-family Dwelling 'A5' Zone to a Site-Specific One-Family Dwelling and Two-Family Dwelling 'A5.603' Zone, 58-60 Yonge Street)	June 1, 2021		
2021-94	Removal of Holding Symbol , 449 Princess Street	June 1, 2021		
2021-95	Removal of Holding Symbol, 834 and 840 Princess Street	June 1, 2021		
2021-116	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from One-Family Dwelling (A2) Zone, Arterial Commercial (C2) Zone, Site-Specific Arterial Commercial (C2.305) Zone, Site-Specific Arterial Commercial (C2.288) Zone, Site-Specific Arterial Commercial (C2.322) Zone, Site-Specific Multiple Family Dwelling (Unified Ownership) (B2.410) Zone to Site-Specific Multiple Family Dwelling (B3.606) Zone and Site-Specific Multiple Family Dwelling (B3.607) Zone, 1316-1318 Princess Street and Part of 1338 Princess Street)	June 22, 2021		
2021-128	A By-Law to amend By-law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from Williamsville Main Street Commercial 'C4-H' Zone to Special Williamsville Main Street Commercial 'C4-608' Zone, 484 Albert Street and 620 Princess Street)	July 13, 2021		
2021-130	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone change from Williamsville Main Street Commercial 'C4-H' Zone to Special Williamsville Main Street Commercial 'C4-609' Zone, 484 Albert Street and 620 Princess Street)	July 13, 2021		

2021-145	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City Of Kingston" (Zone Change from Site-Specific Multiple Family Dwelling 'B1.65' Zone, One-Family Dwelling and Two-Family Dwelling 'A5' Zone and General Recreation Park 'P' Zone to Site-Specific Multiple Family Dwelling 'B1.567' Zone, 190, 200, 210 and 220 Wilson Street; 16, 33, 40, 41, 51, 61, 70, 71, 81, 94, 100, 106, 110 and 140 Compton Street; and 183, 199, 215 and 227 Weller Avenue, and Zone Change from Site-Specific Multiple Family Dwelling 'B1.65' Zone to Site-Specific Multiple Family Dwelling 'B1.568' Zone, 33, 41, 51, 61, 71 and 81 Compton Street)	August 10, 2021		
2021-191	A By-Law to Amend By-law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from 'A' Zone to 'E.615-H' Zone, 235 Frontenac Street)	November 17, 2021		
2021-192	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Site-Specific Zone Change from 'A5' to 'A5.616', 303 and 305 Sutherland Drive)	November 17, 2021		

2022-20	A By-Law to Amend By-Law Number 8499, "Restrcted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from "A5" Zone to Site-Specific "A5.617" Zone, 596 MacDonnell Street)	January 11/2022	<p>By-Law Refused Notice of refusal sent to Katharine Gregory on January 21st 2022</p> <p>Appeal received on Feb. 7 2022 at 4:00 p.m. Sent copy of the appeal to K. Gregory and James Bar in Planning</p>	
2022-38	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from "A" Zone to "B.618" Zone, 178 Rideau Street, 3 Raglan Road and 5 Raglan Road)	February 16, 2022		
2022-42	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from C4-H (T1) to C4.621, 576-600 Princess Street and 465 Albert Street)	March 22, 2022		

2022-54	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Site-Specific Zone Change from 'A' to 'A.604', 9 Couper Street)	April 8, 2022		By-Law 2021-102 was presented to Council June 22, 2021 and refused. NOR was appealed and OLT settled in favour of appeal, see file OLT-21-001197 issue date April 8, 2022. OLT ordered that a new By-Law number be assigned by City Clerk which is 2022-54 and By-Law has been amended as per OLT instructed
2022-88	A By-Law to Amend By-Law Number 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Zone Change from C4-H (T1) and B3.200 to C4-622-H, 347, 349, and 351 Alfred Street; and 507, 521, 523, 525, 527, 531 Princess Street and Zone Change from C4-H (T1) to C4-623-H, 555, 557, 559 Princess Street)	May 17, 2022		

City of Kingston By-Law Number 8499

Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston

Passed: 1975 07 28

A Restricted Area (Zoning) By-Law

To regulate the use of land the erection, use, height, bulk, location, spacing, external design, character and use of buildings or structures, and the density of development in the City of Kingston.

The Council of the Corporation of the City of Kingston enacts as follows:

Part I: General Conditions and Provisions

Section 1: Title

1.1 Title

This by-law, composed of the texts herein and the Schedules and Maps attached hereto and made a part of thereof, may be cited as the "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston."

(By-Law Number 8499 – 1975)

1.2 Application of this By-Law

No building, structure, of land shall be used, and no building or structure shall be hereinafter erected, structurally altered or enlarged within the boundaries of the Corporation of the City of Kingston except in conformity with the conditions and provisions of this by-law.

(By-Law Numbers 8499 – 1975; 8725 – 1976)

1.3 Interpretation

For the purpose of this by-law, words used in the present tense include the future, words in singular number include the plural, and words in the plural include the singular number. The word "shall" is mandatory. The word "used" and "occupied" shall include the words "arranged" and "designed" to be used or occupied.

(By-Law Number 9229 – 1978)

Section 2: Zones, Zoning Maps and Zone Boundaries

2.1 For the purposes of this by-law, the following zones are hereby established and shall be referred to in the text and in the accompanying and attached Zoning Maps and Schedules by the descriptive name or be the symbol set forth in this Section.

Descriptive Name of Zone	Zone Symbol	Applicable Part of this By-Law
Residential Part II		
One-Family and Two-Family	A	Section 6
One-Family	A1	Section 7
One-Family	A2	Section 8
One-Family and Two-Family	A3	Section 9
One-Family and Two-Family	A4	Section 10
One-Family and Two-Family	A5	Section 11
Mobile Home	A6	Section 12
One-Family, Semi-Detached and Linked	A7	Section 12A
Single Detached, Semi-Detached, Row Dwelling	A8	Section 12B
Three Family to Six Family	B	Section 13
Multiple Family	B1	Section 14
Multiple Family (Unified Ownership)	B2	Section 15
Multiple Family	B3	Section 16
Special Education and Medical Part III		
Special Education and Medical	E	Section 17
Special Education and Medical	E1	Section 18
Special Education and Medical	E2	Section 19
Commercial Part IV		
Central Business District	C	Section 20
(Special Commercial – Market Square Heritage Conservation District)	SC	Section 20A
Neighbourhood Commercial	C1	Section 21
Arterial Commercial	C2	Section 22
Shopping Centre Commercial	C3	Section 23
General Provisions of the Special Waterfront Commercial Zone	SWC1	Section 23A
General Provisions for the Special Waterfront Commercial 2 Zone (H)	SWC2	Section 23B
General Provisions for the Williamsville Main Street Commercial Zone	C4	Section 23C

Industrial Part V

Industrial (General Provision)	M	Section 31A
Industrial	M1	Section 24
Industrial	M2	Section 25
Waterfront Industrial	M5	Section 28
Industrial	M6	Section 29
Industrial	M7	Section 30
Fuel Storage and Limited Light Industrial	M8	Section 31
Business Park	M9	Section 31B

Parks, Open Space and Environmental Protection Area Part VI

General Recreation Park	P	Section 32
Recreational Building	P1	Section 33
Water-area	P2	Section 34
Public Open Space	OS1	Section 35
Private Open Space	OS2	Section 36
Harbour Open Space	OS3	Section 37
Environmental Protection Area	EPA	Section 38

(By-Law Numbers 8499 – 1975; 83-110 – 1983; 84-174 – 1985; 85-288 – 1986;
92-346 – 1992)

2.2 Zoning Maps

The extent and boundaries of all the said zones are shown on Schedule "A" attached hereto consisting of one Key Map and thirty-three (33) Zoning Maps, which together with all notations, references and other information shown thereon, are hereby incorporated in and declared to form part of this by-law to the same extent as if fully described therein.

Map Number 18 – 285 Queen Street:

The Map 18 of By-Law Number 8499 is hereby amended by removing the portion of the property at 285 Queen Street that exists within the jurisdiction of By-Law Number 8499, as shown on Schedule "A" attached to and forming part of By-Law Number 2007-161, so the property located at 285 Queen Street shall now be governed by By-Law Number 96-259 in its entirety.

(By-Law Numbers 8499; 2007-161)

2.3 Symbols

The symbols listed in Section 2.1 of this by-law may be used to refer to lands, buildings and structures and the uses of lands, buildings and structures permitted by this by-law in the said Zones, and wherever in this by-law the word "Zone" is

used immediately preceded or followed by any of the said symbols, such Zones shall mean any area within the City of Kingston within the scope of this by-law delineated on a Zoning Map and designated thereon by the said symbol.

2.4 Zone Boundaries

- (a) Where any uncertainty exists as to the location of the boundary of any of the said Zones as shown on the Zoning Maps, the following rules shall apply:
- (b) Where Zone Boundaries are indicated as approximately following lot lines, such lot lines shall be deemed to be the said boundaries.
- (c) Where Zone Boundaries are indicated as approximately parallel to any street and the distance from such street is not indicated, such zone boundaries shall be construed as being parallel to such street and the distance therefrom shall be determined by the use of the scale of the said Zoning Maps.
- (d) Unless otherwise indicated on the Zoning Maps, streets, lanes or rights of way, such as for railroads or electrical transmissions lines, shall be deemed to be in the same zone as the adjacent lands and where such streets, lanes or rights of way separate different zones, unless otherwise indicated on the Zoning Maps, the centre lines of these shall constitute the boundary between the zones.
- (e) Where any uncertainty still exists as to the zone designation of such streets, lanes or rights of way, they shall be assumed to be within the OS1 zone.

2.5 Exceptions to the Various Zone Classifications – Maps

- (a) Within this by-law certain parcels of land are designated on the Zoning Maps attached hereto and forming part of this by-law as Schedule "A" by a zone symbol followed by a two or three digit number. It is the intent of this by-law that any parcel so designated (i.e. A1.45) shall be considered as being within the zone indicated by the zone symbol and subject to the provisions for that zone, however, for that parcel, these provisions shall be deemed to be amended insofar as is only necessary to give effect to the exception asset out in the Section of this by-law to which the suffixed two or three digit number corresponds. The exceptions are listed in Part VIII – Exceptions to the Various Zone Classifications.

Example: For an area designated A1.45, the normal provisions of the A1 zone shall apply, however, the exceptions contained in Section 45 shall prevail over these provisions wherever necessary to make them effective.

- (b) Where two designations as set out in Section 2.5(a) are applied to one parcel of land it is the intent of this by-law that both exceptions shall be in force for that parcel of land.

Section 3: Administration, Enforcement and Penalties

3.1 Administration

Unless otherwise stated, this by-law shall be administered and enforced by the Director of Planning and Development, or in the absence of the Director, the Manager of Development Approvals or the Manager of Policy Planning or any other authorized member of the Department of Planning and Development.

(By-Law Numbers 8499 – 1975; 83-110 – 1983; 2006-28 – 2006)

3.2 Violations and Penalties

- (a) Any person convicted of, by a Court of competent jurisdiction, a breach of this By-Law shall forfeit and pay at the discretion of the convicting Justice or Provincial Judge, a penalty not exceeding the sum of twenty-five thousand (\$25,000.00) dollars (exclusive of costs) for the first offence; and for a subsequent offence, a penalty not exceeding the sum of ten thousand (\$10,000.00) dollars (exclusive of costs) for each day or part thereof upon which the contravention has continued after the date of the first conviction."

(By-Law Numbers 84-70 – 1984; 87-61 – 1987; 2005-208 – 2005)

- (b) Any Corporation convicted of, by a Court of Competent jurisdiction, a breach of this by-law shall forfeit and pay at the discretion of the convicting Justice or Provincial Judge, a penalty not exceeding the sum of fifty thousand (\$50,000.00) dollars (exclusive of costs) for the first offence; and for a subsequent offence, a penalty not exceeding the sum of twenty-five thousand (\$25,000.00) dollars (exclusive of costs) for each day or part thereof upon which the contravention has continued after the date of the first conviction.

(By-Law Numbers 84-70 – 1984; 87-61 – 1987)

- (c) In default of payment of the penalty and costs, levied under subsection (a) and (b) of this section, forthwith, the said penalty and costs, or costs only, may be levied by distress and sale of the goods and chattels of the offender; and in the case of there being no distress found out of which such penalty can be levied, the convicting Justice or Provincial Judge may commit the offender to the Common Jail of the County of Frontenac, for any period not exceeding ninety days, unless the said penalty and costs (if any), including the costs of said distress and of the committal and conveyance of the offender to the said jail, are sooner paid.

(By-Law Numbers 84-70 – 1984; 87-61 – 1987)

- (d) Upon a conviction being entered under the provisions of subsection (a) of this section, the Court in which the conviction was entered and any Court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed in this by-law, make an Order prohibiting the continuation or repetition of the offence by the person convicted.

(By-Law Number 84-70 – 1984)

3.3 Validity

Should any clause, section, sub-section or provision of this by-law be held invalid by a court of competent jurisdiction, the validity of the remainder of this by-law shall not be affected.

(By-Law Number 8499 – 1975)

3.4 Greater Restrictions

This by-law shall not reduce or mitigate any restrictions lawfully imposed by a government authority having jurisdiction for any such restriction.

(By-Law Number 9229 – 1978)

Section 4: Definitions

- 4.0 Accessory** means a use, building or structure subordinate, incidental and exclusively devoted to the principal use, building or structure located on the same lot and not designed or intended for human habitation, unless specifically permitted by this by-law.

(By-Law Number 2005-208 – 2005)

4.1 Airwell means an open, unoccupied minor area bounded on all sides by the walls of a building passing through as least one storey, commonly used to supply light and air for stairways and minor interior spaces.

(By-Law Number 8499 – 1975)

4.2 Amenity Area means an area exterior to the residential building, or an interior area common to all dwelling units within a residential building, which is designed and intended primarily for the leisure and recreation of the occupants of the building.

(By-Law Numbers 8499 – 1975; 2005-212 – 2005; 2017-168)

4.2A Amenity Area, Private means an indoor area or room within an individual dwelling unit which has a minimum clear ceiling height of 2.15 metres (7 feet) and a minimum floor area of 10 m² (108 ft²), used by the residents of the unit for passive recreational purposes, and may include a living room, study, den, recreational room, and similar uses, but is not deemed to include a kitchen, lavatory, bedroom, foyer, lobby, hall, closet, garage, laundry room, furnace room, or stairwell.

(By-Law Number 2005-212 – 2005)

4.2B Amusement Machine means any mechanical, electronic or computerized machine or device, or any combination thereof, intended for use as a game, entertainment or amusement which is offered for use to the public by any person for profit or gain and shall include a pinball machine, television game, shooting gallery, video game, or other similar device, but shall not include billiard or pool tables, games of chance as defined by the *Criminal Code*, or any machine used only for the purpose of vending merchandise or service or playing recorded music.

(By-Law Number 82-197 – 1982)

4.3 Animal Shelter means land and buildings used for the care of lost, abandoned or neglected animals and operated by a public or semi-public authority or by a non-profit private organization.

(By-Law Number 8499 – 1975)

4.4 Art Gallery means land, a building, room or rooms used for the display of works of art for viewing by the general public, whether operated by public or semi-public authority or by a non-profit private organization, provided that in residential zones operation is not carried on with the purpose of gain for its membership.

4.4A Artisans Workshop means an area devoted to the small-scale, labour intensive, light manufacturing of specific physical products by a skilled workman or craftsman.

(By-Law Number 85-110 – 1985)

4.4B Assisted Housing means one or more dwelling units sponsored or financially supported under a public program or a private non-profit program that are intended to meet the housing needs of low-to-moderate income households or special groups such as, but not necessarily limited to, the handicapped.

(By-Law Number 85-110 – 1985)

4.5 Automobile Service Station means any area of land, including buildings and structures thereon, used for supplying fuel, oil and minor accessories for motor vehicles at retail direct to the customer and for cleaning, servicing and making minor or running repairs essential to the actual operation of motor vehicles.

(By-Law Number 8499 – 1975)

4.6 Bachelor Dwelling Unit means a dwelling unit within which the areas intended for sleeping and common living are combined into a single room. For purposes of this By-Law, a bachelor dwelling unit is deemed to contain one bedroom"

(By-Law Number 849; 2021-63)

4.7 Basement means that portion of a building between two floor levels which is partly underground but which has more than 50 per cent of its height from finished floor to finished ceiling above the average adjacent exterior finished grade level.

(By-Law Number 8499 – 1975)

4.7A Bicycle Parking Area, Residential is defined as an area on or in which a bicycle may be parked and which has access directly, or by way of an aisle, sidewalk or ramp, to a public or private lane or to a street without the necessity of moving any other vehicle and which is secured and covered from weather elements (e.g. by way of building or roof overhangs, awnings, lockers or bicycle storage spaces within buildings) and each space within the parking area shall not be less than 1.8 m (6 feet) by 0.6 m (2 feet), and overhead clearance in covered spaces shall be a minimum of 2.1 m (7 feet).

(By-Law Number 2005-212 – 2005)

4.7B Bedroom means a habitable room within a dwelling unit that is not:

1. a common area, being:
 - i. a living room open to all occupants of the unit; or
 - ii. a dining room open to all occupants of the unit;
2. an area used for sanitary purposes, such as a washroom;
3. an area used for cooking purposes, such as a kitchen;
4. an area occupied solely by mechanical equipment, such as furnaces, hot water heaters, or laundry equipment;
5. a circulation space, such as a stairway or hallway;
6. a room less than six (6) square metres in area where there are built-in cabinets and/or closets;
7. a room less than seven (7) square metres in area where there are no built-in cabinets and/or closets; or
8. a room without a window or alternative source of natural light.

(By-Law Number 8499; 2021-63)

4.8 Boarding House means a building or portion thereof in which rooms and meals are regularly provided for compensation to four or more persons other than the owner and members of his family, provided that this use is contained within a building erected on or before 1977 09 07. A Boarding House shall not include a group home.

(By-Law Numbers 8499 – 1975; 79-6 – 1979; 79-174 – 1979; 83-168 – 1983)

4.9 Building, Accessory means a subordinate detached non-residential building designed or provided or used for the more complete or convenient use of the main building to which it is accessory, located upon the same lot upon which said main building is or is intended to be erected and, where a garage does not form part of the main building, shall be deemed to include a private garage.

(By-Law Number 8499 – 1975)

4.10 Building means a structure having a roof supported by columns or walls.

(By-Law Number 8499 – 1975)

4.11 Building, Height means the vertical distance measured from the average finished grade of the entire lot to the highest point of the roof surface in the case of flat roofs or to a point halfway up the roof in the case of pitched roofs.

(By-Law Number 8499 – 1975)

4.12 Carport means a private garage of not more than 1 storey in height, having a roof supported by columns or piers and enclosures to a height of not more than 1.4m.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

4.13.1 Casino Gaming Facility means any building developed and used for the purpose of providing slot machine or table game wagering or betting, authorized and licensed by the Province of Ontario.

(By-Law Numbers 8499; 2016-129)

4.13 Cellar means that portion of a building between two floor levels which has less than 50 per cent of its height from finished floor to finished ceiling, above the average adjacent exterior finished grade level.

(By-Law Number 8499 – 1975)

4.14 Church means a place of worship and may include a day care centre as an accessory use.

(By-Law Numbers 8499; 2007-161)

4.15 City means The Corporation of the City of Kingston.

(By-Law Number 8499 – 1975)

4.15.1 Clinic means a building or part of a building that is used solely by physicians, dentists, and / or drugless practitioners, their staff, and their patients for the purpose of consultation, diagnosis, and office treatment and without limiting the generality of the foregoing, the building may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the clinic, providing that all such uses have access only from the interior of the building or structure, but shall not include accommodation for in-patient care or operating rooms for major surgery.

(By-Law Number 2005-208 – 2005)

4.15A Commercial Motor Vehicle means any vehicle which displays commercial lettering or commercial licence plates and shall also include construction equipment which is self-propelled or designed to be towed, a taxi, a delivery vehicle, a driving school vehicle, in addition to any commercial vehicle as defined under the **Highway Traffic Act**.

(By-Law Number 2002-184 – 2002)

4.15.2 Commercial School means a school operated by an individual or company for gain or profit, providing instruction in a specific trade, skill or service such as secretarial skills, vocational skills, aviation, banking, commercial arts, automobile driving, language, modelling, business, hairdressing, beauty, culture, dancing and music schools. A Commercial School shall not include an "Education Centre", "Education Facility", "Post-Secondary Institution" or a "School" as defined herein.

(By-Law Number 2005-208 – 2005)

4.16 Community Centre means a building and its appurtenant land used for activities shared in by the general public whether operated by the City, or other public authority, or by some private group of persons; provided such shall not be carried on with the purpose of gain for its members; and without restricting the generality of the foregoing, includes such activities as the arts, crafts, physical, social, charitable and educational activities and the administration of such activities.

(By-Law Number 8499 – 1975)

4.17 Community Hall means a building used for quiet, non-commercial, community activities (including social, physical, educational and charitable activities) but not including private clubs, sporting and athletic clubs, union halls or uses which regularly require a liquor licence. "Quiet" shall be defined having regard to the City of Kingston Noise By-Law Number 9309. This definition shall not apply to the following uses of land in existence on the day of passing of By-Law Number 81-187 provided that these uses continue at their present locations subject to the regulations for the zone in which these uses are located:

- 1) Kingston Young Women's and Young Men's Christian Association, 100 Wright Crescent,
- 2) Polish National Union Branch #5 Hall, 65 Russell Street,
- 3) United Steelworkers of America Local 343 Hall, 206 Concession Street,
- 4) Colombo Club of Kingston, 214 Concession Street,

- 5) C.U.P.E. Local 1974 Hall, 35 Concession Street,
- 6) Kingston and District Shrine Club, 180 Bagot Street,
- 7) Queen's Faculty Club, 143 King Street West,
- 8) C.U.P.E. Local 109 Hall, 26 James Street.

(By-Law Number 81-187 – 1982)

4.17A Community Home means a community-based group living arrangement, in a single housekeeping unit, for up to a maximum of seven (7) individuals, exclusive of staff and / or receiving family, with social, emotional, legal, mental and / or physical handicaps or problems, that is developed for the well-being of its residents through self-help, professional care, guidance and supervision unavailable in the resident's own family, an institution or in an independent living situation. A Community Home is licensed, funded or approved by the Province of Ontario. A Community Home shall include all homes and residences as defined above, including open custody homes for both young and adult offenders, but does not include any other use or facility defined elsewhere in this by-law.

(By-Law Number 91-17 – 1990)

4.17B Community Support House means a group living arrangement, in a single housekeeping unit, for persons from out of the City requiring primarily short term accommodation, which may include incidental counselling or support services. A Community Support House is intended to provide accommodation for the relatives and friends of persons who may be incarcerated in a local penal institution or who may be receiving treatment in a local medical facility. A Community Support House is licensed, funded or approved by the Province of Ontario.

(By-Law Number 91-17 – 1990)

4.17C Corrections Residence means a group living arrangement, in a secure facility for persons who have been placed on probation, who have been released on parole, who are admitted to the facility for correctional or rehabilitation purposes or who are awaiting trial, and live together under responsible twenty-four (24) hour secure supervision consistent with the requirements of its residents and accepted standards for secure detention. A Corrections Residence is licensed, funded or approved by the Province of Ontario or Federal Government.

(By-Law Number 91-17 – 1990)

4.18 Creativity Centre means a building and its appurtenant land used for activities shared in by the general public whether operated by the City or other public authority, or by some private group of persons, and shall be restricted to the following uses: quiet amateur cultural activities such as dramatics, handicrafts, photography, painting, drawing and similar arts, music, ballet, and dance instruction, collecting, horticulture and similar activities, meetings of citizen groups engaged in charitable or community activities.

(By-Law Number 8499 – 1975)

4.18A Crisis Care Shelter means a group living arrangement, in a single housekeeping unit, for persons in a crisis situation requiring shelter, protection, assistance, counselling or support and in which it is intended that short term accommodation of a transient nature be provided. A Crisis Care Shelter is licensed, funded or approved by the Province of Ontario.

(By-Law Number 91-17 – 1990)

4.19 Court, Height Of means the vertical distance from the lowest level of such court to the highest point of any bounding wall. Where the court bottom is the roof of any lower storey of a building, which lower storey contains rooms intended for human use, and a skylight or other opening forming the sole lighting or ventilating medium is provided therein for such rooms, the height of the court shall be measured from the floor level of the lowest storey so receiving light or ventilation from such skylight or opening to the highest point of any bounding wall.

(By-Law Number 8499 – 1975)

4.20 Court, Inner means an open space, unoccupied from the ground to the sky or from an intermediate floor to the sky, located on the same lot with the building which it serves, and enclosed on all sides by walls or by walls and the line of an adjoining lot or lots.

(By-Law Number 8499 – 1975)

4.21 Court, Length Of means, in the case of an outer court, the mean horizontal distance between the open end and the closed end of the court, and in the case of an inner court, the greatest mean horizontal dimension of such court.

(By-Law Number 8499 – 1975)

4.22 Court, Outer means an open space, unoccupied from the ground to the sky or from an intermediate floor to the sky, located on the same lot as the building which it serves enclosed in three sides by walls or by walls and the line of an adjoining lot or lots extending to or opening upon a street or yard.

(By-Law Number 8499 – 1975)

4.23 Court, Width Of means, in the case of an outer court, the mean horizontal distance between the sides of such court, as distinguished from the open and closed ends of the court, and, in the case of an inner court, the least mean horizontal dimension of such court.

(By-Law Number 8499 – 1975)

4.23A Deck means a structure without a roof, having a foundation to hold it erect, the floor which is above finished grade, and attached to or abutting one or more walls of a building or constructed separate from a building, with or without direct access to the ground.

(By-law Numbers 8499; 2008-166)

4.23B Detoxification Centre means an institution or single housekeeping unit in which persons who are addicted to chemical substances and / or alcohol are admitted for withdrawal, treatment and / or rehabilitation and live together under responsible twenty-four (24) hour supervision consistent with the requirements of its residents. A Detoxification Centre is licensed, funded or approved by the Province of Ontario and shall be registered with the City of Kingston.

(By-Law Number 8499; 91-17; 2008-166)

4.23C Driveway means a defined area providing motor vehicle access between a street or a lane and a parking area, parking lot, parking space, loading space, private garage, building or structure, but does not include a parking aisle."

(By-Law Number 8499; 2019-145)

4.24 Dwelling means a building or portion thereof designed and / or used exclusively for residential occupancy, including one-family, two-family and multiple family dwellings, but not including hotels, motels, motor hotels, boarding, lodging and rooming houses.

4.25 Dwelling Unit means one (1) or more habitable rooms designed to provide sanitary conveniences and kitchen facilities for residential purposes. This definition shall not include a mobile home, a travel trailer or a motor home.

(By-Law Numbers 8499 – 1975; 2005-212; 2007-161; 2008-166)

4.26 Dwelling, One-Family: a detached building having independent exterior walls and containing only one dwelling unit. The addition of a Second Residential Unit

to a Dwelling, One-Family does not change a Dwelling, One-Family into another type of Dwelling.

(By-Law Number 8499; 2019-87)

4.27 Dwelling, Two-Family: a building having independent exterior wall and containing only two dwelling units.

4.28 Dwelling, Multiple Family: a building having independent exterior walls and containing three or more dwelling units, but shall not include a "Dwelling, Row" as defined in this by-law.

(By-Law Number 8499; 2008-166)

4.29 Dwelling, Group: one or more buildings, not more than 2½ storeys in height, containing dwelling units and arranged around the sides of a court which opens on to a street, including one-family, two-family, row or multiple dwellings and court apartments.

4.29A Dwelling, Linked means one of a pair of attached single dwellings which have no apparent structural connection above grade, but which are connected at some point below ground level by a common wall. The addition of a Second Residential Unit to a Dwelling, Linked does not change a Dwelling, Linked into another type of Dwelling.

(By-Law Number 8499; 2019-87)

4.30 Dwelling, Row means a dwelling that shares two party or common walls with adjacent dwellings. Where there are three or more dwellings separated by common or party walls, the end dwellings shall also be considered as row dwellings. The addition of a Second Residential Unit to a Dwelling, Row does not change a Dwelling, Row into another type of Dwelling.

(By-Law Number 8499; 2019-87)

4.31 Dwelling, Semi-Detached means a dwelling comprising two dwelling units sharing one common vertical party wall. The addition of a Second Residential Unit to a Dwelling, Semi-Detached does not change a Dwelling, Semi-Detached into another type of Dwelling.

(By-Law Number 8499; 2019-87)

4.32 Day Care Centre means a premises licensed under the *Day Nurseries Act*, R.S.O. 1990, as amended, that receives more than five (5) children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four (24) hours, where the children are:

- under eighteen years of age in the case of a day care centre or day nursery for children with a developmental handicap, and under ten years of age in all other cases.

(By-Law Numbers 8499 – 1975; 2005-208 – 2005)

4.33 Density means the relationship between the number of dwelling units that may be erected or maintained on a lot under this by-law and the area of the lot, expressed as the number of dwelling units per net hectare and shall be calculated by dividing the number of dwelling units by the lot area, measured in net hectares. Net hectares of land in any project or development shall be defined as the gross hectares of land in such development or project less any land required to be set aside for public streets, laneways, public parks, schools or public or semi-public utilities or land which is required to be set aside to meet the requirements of this by-law for any other main building or use where the use is not accessory to the main building which requires a maximum density.

(By-Law Numbers 8499 – 1975; 79-174 – 1979; 83-110 – 1983; 84-52A – 1984)

4.34 Drive-In Restaurant means those premises consisting of a building or structure, together with a parking lot, from which food, refreshments, dairy products or beverages are sold to the public for consumption either in automobiles parked on the parking lot or for consumption elsewhere on the premises, but not necessarily within such building or structure and does not include a building or structure where food refreshments, dairy products or beverages are offered for sale or sold to the public only for consumption within the building or structure or off the premises.

(By-Law Number 8499 – 1975)

4.34A Education Centre means an establishment primarily engaged in providing technical, commercial, or vocational training or retraining. Education Centre shall not include a "Commercial School", "Educational Facility", "Post-Secondary Institution" or a "School" as defined herein.

(By-Law Numbers 96-83 – 1996; 2005-208 – 2005)

4.34B Educational Facility means an establishment engaged in providing educational services within the context of the elementary and secondary curriculum of the Province of Ontario, limited in terms of scale and intended program duration, and located within a multiple-use building. Educational Facility shall not include a "Commercial School", "Education Centre", "Post-Secondary Institution" or a "School" as defined herein.

(By-Law Numbers 96-83 – 1996; 2005-208 – 2005)

4.35 Feedmill means a mill for the processing, blending, grinding and mixing of grains, seeds and concentrates.

(By-Law Number 8499 – 1975)

4.36 Family means one or more persons residing together and comprising a single domestic household, sharing all areas of a dwelling unit, exclusive of bedrooms and may include up to three roomers or boarders.

(By-Law Numbers 81-88 – 1981; 2005-212; 2007-161)

4.36A Foster Child means a person, under the age of twenty-one (21) years who is under the control and supervision of a local child welfare agency as defined in *The Child and Family Services Act*.

(By-Law Number 91-17 – 1990)

4.36B Fraternity House means a building or a portion thereof, used for the purposes of habitation or congregational meetings, which is supervised by a religious body, a fraternal organization, a public authority, a public educational institution or a chapter of a university fraternity or sorority and which is operated on a non-profit basis and occupied by members affiliated with the supervising body, organization, authority, institution or fraternity.

(By-Law Number 91-17 – 1990)

4.37 Repealed by By-Law Number 79-6 – 1979.

4.38 Gasoline Bar means one or more pump islands, each consisting of one or more gasoline pumps, and a shelter having a floor area of not more than 2.5m², which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles, and shall not be used for repairs, oil changes or the greasing of vehicles.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

4.39 Gross Leasable Area means the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floors if any, expressed in square metres measured from centre lines of joint partitions and exteriors of outside walls.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

4.40 Habitation Unit means the space, area, furniture, equipment and parts of any building used and occupied by one individual within and without a building

designed or converted for the purpose of providing primarily sleeping accommodation for individuals or for a group or groups of individuals.

(By-Law Number 8499 – 1975)

4.41 Home For Aged means an institution to which the *Homes for the Aged Act*, R.S.O. 1970 Chapter 206 applies, and any home for Senior Citizens sponsored or administered by any public agency, or any service club either of which obtains its financing from Federal, Provincial or Municipal Governments or agencies, or by public subscription or donation, or by any combination thereof, and such homes shall include auxiliary uses such as club and lounge facilities usually associated with Senior citizens' developments.

(By-Law Number 8499 – 1975)

4.42 Home Occupation means an occupation except for the keeping of boarders or roomers, which, subject to Section 5.20(v) shall be conducted solely and entirely by a member or members of the family resident within the place of residence.

(By-Law Numbers 8499 – 1975; 88-64 – 1988)

4.42A Housekeeping Unit means a single, self-contained dwelling unit occupied by a group of persons residing together and comprising a single domestic household.

(By-Law Number 91-17 – 1991)

4.43 Junkyard means land or buildings where used metal, rags, paper or other used material except automotive vehicles are kept, sorted or sold, but not a place where used materials are recycled or reprocessed into other products or prepared for use as other products.

(By-Law Number 8499 – 1975)

4.43A Kitchen means a room or group of rooms used or designed for the preparation and cleaning of food, and may include accessory storage for food.

(By-law Numbers 8499; 2008-166)

4.43B Landscaped Open Space means the area of a lot used or intended to be used for the growth and maintenance of grass, flowers, trees, shrubbery, natural vegetation and indigenous species and other landscaping and included any buffer strip, surfaced walk, surface patio, swimming pool or similar area, but shall not include any access driveway, ramp, parking area or loading spaces or any open space beneath, above or within any building or structure.

(By-Law 8499; 2017-168)

4.43C Laundromat means an establishment containing one or more washers, each having a capacity not exceeding 23 kilograms, and drying, ironing, finishing and incidental equipment, provided that only water, soaps and detergents are used and provided that no such operation shall emit any noise or vibrations which cause a nuisance or inconvenience within or without the premises. This definition may include a self-service dry cleaning establishment.

(By-Law Numbers 2006-44; 2006-28; 2008-166; 2017-168)

4.44 Line Of Setback means the minimum distance, required by this by-law, that any building can be located from a street line.

(By-Law Number 8499 – 1975)

4.45 Lot means a parcel of land whether or not described as such in a registered deed or shown as such on a registered plan of subdivision, used, or intended to be used, for a purpose permitted by this by-law and which is occupied, or to be occupied, by a main building and / or accessory building or buildings as permitted in this by-law.

(By-Law Numbers 8499 – 1975; 83-168 – 1983)

4.46 Lot Line means the line between a lot and contiguous land other than a street allowance.

(By-Law Number 8499 – 1975)

4.47 Lot Coverage, Percentage Of means that portion of a lot or of a parcel of land upon which a building may be erected under the provision of this by-law and expressed as a percentage figure. In determining such area, that part covered by unsheltered steps, patios, decks, terraces, or cornices shall be excluded, but that portion covered by a roofed porch shall be included in the calculation.

(By-Law Number 8499 – 1975)

4.48 Lot Occupancy means the sum of the individual gross floor areas of the building expressed as a percentage of lot area.

(By-Law Number 8499 – 1975)

4.49 Lot, Corner means any lot situated at the junction of two or more streets.

(By-Law Number 8499 – 1975)

4.50 Lot, Depth means the horizontal distance between the front and rear lot lines, measured along the center line between the two side lot lines.

(By-Law Number 8499 – 1975)

4.50A Lot, Through shall mean a lot having frontage on two parallel or approximately parallel streets.

(By-Law Number 8499 – 1975)

4.51 Lot, Width means the horizontal distance measured between the side lot lines at a right angle; in the case of an irregular lot, it is measured between the side lot lines at 12.0 m from the front lot line at right angles to the center line.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

4.52 Marina means a commercial dockage, providing repair facilities, dockage facilities and boating supplies and provisions for small pleasure craft.

(By-Law Number 8499 – 1975)

4.53 Mobile Home means a manufactured, movable or portable dwelling unit constructed to be towed, to its appropriate site, on its own chassis, connected to utilities and designed to be placed on a permanent foundation or piers for year round living. It may consist of one or more parts that can be folded, collapsed or telescoped for towing to the appropriate site, and expanded later for additional cubic capacity; to be joined into one integral unit. The mobile home must contain sleeping accommodation, a flush toilet, a tub or shower bath, and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems. Enclosed porches or sunrooms are permitted as accessory uses.

(By-Law Numbers 8499 – 1975; 2006-44 – 2006)

4.54 Mobile Home Lot shall mean a parcel of land within a Mobile Home Park which shall be used only for the placement of one, single or double width single family, Mobile Home and for the exclusive use of its occupants, and which directly abuts a roadway giving access to a public street.

(By-Law Number 8499 – 1975)

4.55 Mobile Home Park shall mean an area of land not less than 4.0 ha used exclusively for the siting of mobile homes, with commercial facilities and recreational uses for Park residents, including any building, structure or enclosure of such mobile home park and which remains under single ownership.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

4.55A Model Home means a single detached dwelling, semi-detached dwelling or townhouse block used in the interim for the sole purpose of an office and / or show room and / or sales centre to promote the sale of residential units within a draft approved plan of subdivision proposed for registration

(By-Law Number 2003-379 – 2003)

4.56 Motel shall mean a building or group of two or more detached or semi-detached buildings containing rooms or apartments with automobile parking or storage space provided directly or closely in connection therewith, which buildings or groups of buildings are designed, intended or used primarily for the providing of sleeping accommodation for automobile travellers and shall include courts, motor courts, motor hotels and tourist courts.

(By-Law Number 8499 – 1975)

4.57 Neighbourhood Store shall mean a store that serves the needs of the adjacent neighbourhood and shall include the following types of stores: general stores, clothing stores, food stores, drug stores, banks, restaurants and delicatessens, barber shops, beauty salons, hardware stores, sporting goods stores, dry-cleaning agencies for the receipt and delivery only of dry-cleaned articles.

(By-Law Number 8499 – 1975)

4.57A Nursery / Garden Centre / Greenhouse means the use of lands, buildings or structures, or portions thereof, where trees, shrubs or plants are grown for the purpose of retail or wholesale trade. A nursery may include the accessory sale of soil, planting materials, fertilizers, garden equipment, ornaments and similar materials.

(By-Law Number 2005-208 – 2005)

4.58 Nursing Home shall mean any premises maintained and operated for persons requiring nursing care as authorized under *The Nursing Homes Act* and meeting the standards set forth in the regulations under *The Nursing Homes Act* of the Revised Statutes of Ontario.

(By-Law Number 8499 – 1975)

4.59 Parking Lot means an open area, other than a street, used for the temporary parking of 5 or more motor vehicles and available for public use whether free, for compensation or as an accommodation for tenants, clients or customers, and which shall not include parking areas which are accessory to any other use permitted by this by-law.

(By-Law Numbers 8499 – 1975; 83-168 – 1983)

4.60 Penthouse means an enclosed structure, other than a bulkhead, sited on the roof of a building which does not occupy more than 10 per cent of the horizontal roof area of the building and does not contain any dwelling units.

(By-Law Number 8499 – 1975)

4.60A Place of Amusement means any establishment or part thereof containing five (5) or more amusement machines which are operated for gain and made available for the entertainment or amusement of the general public. This definition shall not include: premises which are licensed under the *Liquor Licence Act*; establishments which sell amusement machines, provided that such machines are not made available on the premises for use by the general public; and, establishments where the amusement machines are made available as an accessory use, provided that the floor area occupied by the amusement machines does not exceed five (5) per cent of the total leasable floor area of the establishment, but in no case shall the number of amusement machines which are accessory to another use exceed five (5); and premises with amusements that are contrary to the *Criminal Code of Canada*.

(By-Law Number 82-197 – 1982)

4.60B Performing Arts Group means a professional or non-professional organization engaged in the teaching, training and performing for hire or gain of dance, music, acting or art and may include a studio for private instruction conducted for hire or gain.

(By-Law Number 85-110 – 1985)

4.60C Post-Secondary Institution means an educational institution instructing or examining students in many branches of advanced learning and conferring degrees. A Post-Secondary Institution shall not include a "Commercial School", "Education Centre", "Educational Facility" or a "School" as defined herein.

(By-Law Number 2005-208 – 2005)

4.61 Play Space means an area intended for the protected play of children of pre-school age living in any type of a Multiple Family Project, and it may occupy any rear or side yard with the exception of parking area.

(By-Law Number 8499 – 1975)

4.61A Principal Dwelling Unit means the main/core structure intended for human habitation on a lot.

(By-Law Number 8499; 2019-87)

4.61B Recovery Home means a group living arrangement, in a single housekeeping unit that is developed for the treatment and education of persons with alcohol or drug related problems and / or dependencies. Recovery Homes provide a continuum of care through short-term or long-term residential programs offering a wide variety of therapies dealing with the individual's physical, social, psychological, occupational, spiritual and nutritional needs. Recovery Homes shall provide responsible twenty-four (24) hour supervision, consistent with the needs of the residents. A Recovery Home is licensed, funded or approved by the Province of Ontario.

(By-Law Number 91-17 – 1990)

4.62A Residential Care Facility means a community-based group living arrangement, in a single housekeeping unit, for eight (8) or more individuals, exclusive of staff and / or receiving family, with social, legal, emotional, mental and / or physical handicaps or problems, that is developed for the well-being of its residents through self-help, professional care, guidance and supervision unavailable in the resident's own family, an institution or in an independent living situation. A Residential Care Facility is licensed, funded or approved by the Province of Ontario. A Residential Care Facility includes open custody homes for young or adult offenders but does not include a Crisis Care Shelter, Corrections Residence, Community Support House, Detoxification Centre or Recovery Home as defined elsewhere in this by-law.

(By-Law Number 91-17 – 1990)

4.62 Recreational Vehicle means a portable structure intended as a temporary accommodation for travel, recreational or vacation use. Such structures include travel trailers, motorized homes, slide-in campers, chassis mounted campers and tent trailers.

4.63 Restaurant means a building or structure or part thereof where food is prepared and offered for sale to the public for consumption within the building or structure but does not include a drive-in restaurant.

4.63A Retail Store Or Shop means a building or portion thereof in which goods, wares or merchandise are sold or offered for sale directly to the public and may include provision of personal services, and without limiting the generality of the foregoing, may include barber shops, beauty salons, laundries and shoe repair shops.

(By-Law Numbers 83-168 – 1983)

4.64 Rooming House means a building or portion thereof in which rooms are regularly provided for compensation to four or more persons other than the owner and members of the owner's family, provided that this use is contained within a building erected on or before 1977 09 07. A Rooming House shall not include a multiple family dwelling, hotel or group home.

(By-Law Numbers 8499 – 1975; 79-6 – 1979; 79-174 – 1979; 83-168 – 1983)

4.64A School means a stand alone and unique establishment providing educational services primarily for students between the ages of 5 and 18 years, within the context of the elementary and secondary curriculum of the Province of Ontario. School shall not include a "Commercial School", "Day Care Centre", "Education Centre", "Educational Facility", or "Post-Secondary Institution" as defined herein. However, a "Day Care Centre" may be an accessory use to a "School".

(By-Law Numbers 96-83 – 1996; 2005-208 – 2005)

4.64B Second Residential Unit means a dwelling unit which is ancillary to a Principal Dwelling Unit, and its located on the same lot therewith.

(By-Law Number 8499; 2019-87)

4.65 Senior Citizen Apartment means a dwelling unit of one or more rooms together with private lavatory accommodation and kitchen designed and used for the exclusive occupancy of one or two elderly persons.

4.65A Shopping Centre means a group of commercial establishments which are planned, designed and developed as an entity and having an off-street parking area provided on the site.

(By-Law Number 9206 – 1978)

4.65B Storage Yard means an area outside of an enclosed building where construction materials and equipment, solid fuels, lumber and new building materials, monuments and stone products, public service and utility equipment, or other materials, goods, products, vehicles, equipment or machinery are stored, piled, handled, sold or distributed as an accessory use to the primary use located on the property. Any storage yard shall be screened by a masonry wall or painted fence not less than 1.8m high so that the contents of the storage yard will not be visible from any public street. A storage yard shall not include a "junkyard", "vehicle wrecking yard" or "vehicle storage yard" as defined in this by-law.

(By-Law Number 88-119 – 1988)

4.66 Storey means that portion of a building which is situated between the top of any floor and the top of the floor next above it and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

4.67 Street means a dedicated public highway.

4.68 Street Line means the division line between a street and the abutting property.

4.69 Structural Alteration means any change in the supporting members of a building such as bearing walls, columns, beams or girders.

4.69A Structure means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. For the purposes of setbacks and / or yard requirements as set out in this by-law a sign shall not be deemed to be a structure.

(By-Law Number 87-61 – 1987)

4.70 Swimming Pool means a tank, pool, or artificial body of water which may be used for swimming or wading purposes and which has a possible maximum depth of water greater than 0.61 metres, and may include a hot tub or whirl pool.

(By-Law Numbers 8499 – 1975; 79-174 – 1979; 2005-208 – 2005)

4.70A Tandem Parking Space means a parking space that is only accessed by passing through another parking space from a Street, lane, drive aisle or driveway.

(By-Law Number 8499; 2019-87)

4.70B Trailer, Utility means a non-automotive vehicle designed to be hauled by a motor vehicle for the purpose of transporting goods or other vehicles.

(By-Law Numbers 8499; 2008-166)

4.70C Travel Trailer means any vehicle so constructed as to be suitable for attachment to a motor vehicle for the purpose of being drawn or propelled by a motor vehicle, and capable of being used for the temporary living, sleeping or eating accommodation of persons, or for transporting property or goods, notwithstanding that such vehicle is jacked up or that its running gear is removed. This definition shall not include a "mobile home".

(By-Law Number 2002-184 – 2002)

4.71 Total Floor Area means the total floor area contained within the inside face of the exterior walls of a dwelling unit excluding any attached private garage, open balcony or porch, unfinished attic, and finished or unfinished cellar, but shall include an unfinished or finished basement.

(By-Law Number 8499 – 1975)

4.71A Vehicle Compound means an area where both operable and inoperable vehicles are towed and/or stored on a temporary basis after being impounded or while awaiting repair, pick-up or transfer to a vehicle wrecking yard. Any vehicle compound shall be screened by a masonry wall or painted fence not less than 2.0m high so that the contents of the vehicle compound will be screened from any public street or adjacent properties. In no case will a vehicle compound be permitted where the adjoining land is zoned for a non-industrial or non-commercial use. For the purpose of this section, "temporary" shall be defined so as to mean "a period of time not exceeding forty-five (45) days in regard to each automobile.

(By-Law Number 88-119 – 1988)

4.71B Vehicle Wrecking Yard means an open area with or without a building where motor vehicles, or parts of motor vehicles are disassembled, dismantled or scrapped, or where vehicles not in operable condition or used parts of motor vehicles are stored, sold or distributed. Any vehicle wrecking yard shall be screened on all sides by a masonry wall or painted fence not less than 2.0m high so that the contents of the vehicle wrecking yard shall be screened from any public street or adjacent property. In no case will a vehicle wrecking yard be permitted where the adjoining land is zoned for a non-industrial use.

(By-Law Number 88-119 – 1988)

4.71C Veterinary Clinic means a building or part thereof used by a veterinarian(s) and their associated staff and services for the purpose of consultation, diagnosis, grooming, treatment, and necessary boarding of animals.

(By-Law Number 2004-328 – 2004)

4.72 Watchman's Quarters means sleeping and cooking facilities which may be provided for the use of one person who is employed in the capacity of a watchman at the site of an industrial use of land.

(By-Law Number 8499 – 1975)

4.73 Yard shall mean an open space located on the same lot as the building which it serves, unoccupied and unobstructed from the ground to the sky, except for accessory buildings as permitted herein.

(By-Law Number 8499 – 1975)

4.74 Yard, Front means a yard extending across the full width of the lot between the front lot line of the lot and nearest part of any excavation or main building on the lot.

(By-Law Number 8499 – 1975; 2007-161)

4.75 Yard, Rear shall mean a yard extending across the full width of the lot, the depth of the yard being the minimum horizontal distance between the rear lot line or the intersection of the side lot lines, and the nearest wall of the main building on such lot.

(By-Law Number 8499 – 1975)

4.76 Yard, Side shall mean a yard extending from the front yard to the rear yard, between the side lot line and the nearest wall of the main building on such lot.

(By-Law Number 8499 – 1975)

Section 5: General Provisions for All Zones

5.1 Permitted Uses

Notwithstanding anything contained in this by-law, any lands may be used and any building or structure may be erected, structurally altered, enlarged, maintained or used in any zone for the following purposes, provided that such uses, buildings, or structures shall be in compliance with the provisions of the zone in which they are located:

(By-Law Number 8499 – 1975)

- (a) public parks, playgrounds, playlots, including any building and facilities accessory thereto;
- (b) lands, buildings, structures and uses required by any public authority or Bell Canada (other than a business office of Bell Canada) for the provisions of electrical, gas, water, sanitary, transportation, telephone and like services and utilities to the general public;

(By-Law Number 79-115 – 1979)

- (c) fire halls, police stations, municipal administration offices, municipally operated day care centers, municipal parking lots and parking structures;

- (d) any sheds, scaffolds or other structures incidental to building construction on the premises for so long as the same is necessary for work in progress which has neither been finished nor abandoned;
- (e) **"Accessory Uses"** shall be permitted for any use occupancy that conforms with the zone in which it is located to a maximum of twenty-five (25) per cent of the gross floor area, as long as the accessory use is subordinate to and associated with the principal permitted use, and does not operate independently from the principal permitted use on the property.

(By-Law Numbers 83-168 – 1983; 95-80 – 1996; 2005-208 – 2005)

5.1A Permitted Uses – Schools

Notwithstanding anything contained in this by-law, any lands may be used and any building or structure may be erected, structurally altered, enlarged, maintained or used in any zone for a public or separate school within the meaning of the *Public and Separate Schools Acts* of the Province of Ontario, subject to the following provisions:

- (i) that such school uses, buildings or structures shall be in compliance with the provisions of the zone in which they are located; and
- (ii) that public or separate schools shall not be permitted on any lands or within any building or structure that is zoned 'M1' Industrial, 'M2' Industrial, 'M3' Industrial, 'M4' Industrial, 'M5' Waterfront Industrial, 'M6' Industrial, 'M7' Industrial, 'M8' Fuel Storage and Limited Light Industrial, 'M' Industrial and 'M9' business Park or on any lands or within any building or structure that is subject to any of the site specific exceptions to the foregoing zone classifications contained in this by-law.

(By-Law Number 95-80 – 1995)

5.1B Permitted Uses – Education Centres

Notwithstanding anything contained in this by-law, any lands may be used and any building or structure may be erected, structurally altered, enlarged, maintained or used in any zone for an "Education Centre", as defined in this by-law, subject to the following provisions:

- (i) that such education centre uses, building or structures shall be in compliance with the provisions of the zone in which they are located; and
- (ii) that education centres shall not be permitted:

- (a) on any lands or within any building or structure that is zoned 'EPA' Environmental Protection Area, or on any lands or within any building or structure that is subject to any of the site specific exceptions to the foregoing zone classification contained in this by-law;
- (b) on any lands or within any building or structure that is zoned 'OS1' Public Open Space (By-Law Number 8499), 'OS2' Private Open Space (By-Law Number 8499), and "G" Greenbelt (By-Law Number 3078) and located on the east side of Division Street and north of Highway Number 401; and
- (c) on any lands or within any building or structure zoned 'C2.101' Arterial Commercial Modified that was vacant as of the date of the passing of this By-Law and is located on the east side of Division Street south of Benson Street.

5.1C Permitted Uses – Educational Facilities

Notwithstanding anything contained in this by-law, any lands may be used and any building or structure may be erected, structurally altered, enlarged, maintained or used in any zone for an "Education Facility", as defined elsewhere in this by-law, subject to the following provision:

- (i) that such educational facility uses, buildings or structures shall be in compliance with the provisions of the zone in which they are located;
- (ii) that educational facilities shall only be permitted on any lands or within any building or structure that is zoned 'M1' Industrial, 'M2' Industrial, 'M5' Waterfront Industrial, 'M6' Industrial, 'M7' Industrial, 'M8' Fuel Storage and Limited Light Industrial, 'M' Industrial and 'M9' Business Park, or on any lands or within any building or structure that is subject to any of the site specific exceptions to the foregoing zone classifications contained in this by-law, provided that the use of such lands, building or structure has been authorized by a by-law passed pursuant to Section 39 of The *Planning Act*, R.S.O. 1990, c.P.13 (Temporary Use of Land, Buildings or Structures); and
- (iii) that educational facilities shall not be permitted on any lands or within any building or structure that is zoned 'P' General Recreation Park, 'P1' Recreational Building, 'P2' Water Area, 'OS1' Public Open Space, 'OS2' Private Open Space, 'OS3' Harbour Open Space, and "EPA' Environmental Protection Area, or on any lands or within any building or

structure that is subject to any of the site specific exceptions to the foregoing zone classifications contained in this by-law.

(By-Law Number 96-83 – 1996)

5.2 Prohibited Uses

Notwithstanding anything contained in this by-law, the following uses of land or of buildings shall not be permitted within any zone in the City of Kingston:

- (a) pits and quarries;
- (b) Intentionally deleted
- (c) the use of a Recreational Vehicle as a permanent place of residence;
- (d) junkyards.

(By-Law Numbers 8499 – 1975; 9229 – 1978 88-119 – 1988)

5.3 Off-Street Vehicle Parking Facilities

A. Off-street vehicle parking facilities shall be provided as follows:

(a) Residential

- i. One and two-family dwellings in all zones: 1 parking space per dwelling unit.
- ii. Multiple Family Dwellings
 - (1) In the B B2 and C zones: 1 parking space per dwelling unit.
 - (2) In all other zones: 1.4 parking spaces per dwelling unit.

(By-Law Number 8499 – 1975; 2017-167)

- (3) Bicycle Parking Spaces: 1 bicycle parking space per dwelling unit, within a Bicycle Parking Area, Residential, as defined by Section 4.7A of this Zoning By-Law.

(By-Law Number 2005-212 – 2005)

- iii. Repealed and superseded by By-Law Number 96-259

(By-Law Numbers 8499 – 1975; 96-259 – 1996)

- iv. Habitation Units (in all zones): 1 parking space for the owner or manager, plus 1 parking space for each 3 habitation units.
- v. Second Residential Units (in all zones): 1 parking space per Second Residential Unit.

(By-Law Number 8499; 2019-87)

(b) Non-Residential

- i. In those areas which are within the C zone east of Division Street there shall be no off-street parking requirements for non-residential uses.
- ii. In that part of the C zone west of Division Street and in all other zones parking facilities for non-residential uses shall be provided as follows:

Hotels / Motels – 1 parking space for each guest room / suite plus 1 parking space for each 4 persons that can be accommodated at any one time in any beverage room or liquor lounge plus 1 bus parking space (minimum dimensions 3.6 metres [12 feet] by 12 metres [39 feet]) for each 50 guest rooms, to a maximum of 3 bus parking spaces.

(By-law Numbers 8499; 2008-60)

Hospitals – 1 parking space for every 6 patient beds plus 1 space for each 6 employees including staff doctors.

Sanitariums Or Convalescent Homes – 1 parking space for each 10 patients beds, plus 1 additional space for each 6 employees.

(By-Law Number 8499 – 1975)

Medical Or Dental Clinics – 1 parking space per doctor engaged in the clinic, plus 1 parking space for every 28 m² of floor area up to 280 m² and 1 parking space for each additional 46.0 m² thereafter.

Funeral Homes – 1 parking space for each 46.0 m² of floor space.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

Welfare Institutions, Asylums, Homes for the Aged, Orphanages, Etcetera – 1 parking space for each 4 employees, plus 1 parking space for every 10 beds.

(By-Law Number 8499 – 1975)

Libraries, Museums, Post Offices – parking space equal in number to at least 75 per cent of the number of employees, plus 1 parking space for every 70.0 m² of building floor area.

Dance Halls – 1 parking space for each 3.5 m² of dance floor area.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

Bowling Alleys – 2 parking spaces for each alley, plus 1 additional space for each employee.

Theatres – 1 parking space for each 10 seats.

(By-Law Number 8499 – 1975)

Auditoriums, Churches, Stadiums, Sport Arenas, or Similar Places of Public Assembly – 1 parking space for each 10 seats. Where individual seats are not provided, each 0.5 m of benches or other similar seating shall be considered as 1 seat for the purpose of determining requirements.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

Schools – 1 parking space for each 2 employees including teachers, administrators and maintenance staff.

(By-Law Number 8499 – 1975)

Bowling Greens, Tennis Courts – 1 parking space for every 70.0 m² of ground area.

Restaurants, Tea Rooms And Lunch Counters And Similar Uses – 1 parking space for every 5 employees, plus an additional space for each 4 seats. Where individual seats are not provided each 0.5 m of benches or other similar seating shall be considered as 1 seat for the purpose of determining requirements.

Community Centres And Community Halls – 1 parking space for every 25.0 m² of floor area designed or used specifically as a place of assembly.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

C, C1 And C4 Uses Not Specifically Designated In This Section

– 1 parking space for every 28.0 square metres of gross leasable area.

(By-Law Numbers 8499; 8725; 8982; 79-174; 83-168; 2013-224)

C2 Uses Not Specifically Designated In This Section – 1 parking space for every 18.5 square metres of gross leasable area.

(By-Law Numbers 8499 – 1975; 8982 – 1977; 79-174; 83-168)

Industrial Or Manufacturing Establishment – 1 parking space for every 100 square metres of gross floor area.

(By-Law Number 8499 – 1975; 79-174 – 1979; 2013-101)

Mixed Uses – the parking facilities required shall be the sum of the requirements for the various individual uses.

(By-Law Number 8499 – 1975)

Day Care Centre – 1 parking space for every 117 m² G.F.A.

(By-Law Number 2005-208 – 2005)

(c) Deleted

(By-Law Numbers 8499 – 1975; 83-110 – 1983; 2017-167)

(d) Accessible Parking

i) In any *zone*, the required number of *parking spaces* shall include the provision of accessible *parking spaces* in the minimum quantity specified below:

a) Residential: Accessible parking spaces are provided at a rate of 4% of the required parking spaces. A minimum of one Type A (Van accessible) accessible space required, rounded up to the nearest whole number. Equal numbers of Type A (Van accessible) and Type B are required. If an odd number is required, the additional space may be either type. Accessible parking is not required for single detached and semi-detached houses, duplexes, triplexes, town houses, and row houses that do not have shared parking arrangements.

- b) Commercial: Accessible parking spaces are provided at a rate of 4% of the required parking spaces. A minimum of one Type A (Van accessible) accessible space required, rounded up to the nearest whole number. Equal numbers of Type A (Van accessible) and Type B are required. If an odd number is required, the additional space may be either type.
- c) Industrial: Accessible parking spaces are provided at a rate of 4% for the first 200 required parking spaces and 3% for the additional required parking spaces, including a minimum of one Type A (Van accessible) required accessible space, rounded up to the nearest whole number. Equal numbers of Type A (Van accessible) and Type B are required. If an odd number is required, the additional space may be either type.
- d) Institutional: Accessible parking spaces are provided at a rate of 10% of the required parking spaces. A minimum one Type A accessible space required, rounded up to the nearest whole number. Equal numbers of Type A (Van accessible) and Type B are required. If an odd number is required, the additional space may be either type.
- e) All other uses: Accessible parking spaces are provided at a rate of 4% of the required parking spaces. Minimum one Type A space required. Equal numbers of Type A (van accessible) and Type B are required. If odd, the additional space may be either type.

ii) Design Standards

The following regulations shall also apply to accessible *parking spaces*:

- a) Type A (Van accessible) spaces shall have minimum rectangular dimensions of 3.4 metres width by 6.0 metres length and must have signage specifying that they are van-accessible.
- b) Type B spaces shall have minimum rectangular dimensions of 2.7 metres width by 6.0 metres length.
- c) an access aisle with minimum rectangular dimensions of 1.5 metres width by 6.0 metres length and marked with high tonal contrast diagonal lines is required adjacent to Type A and Type B accessible parking spaces. The access aisle may be shared between spaces.
- d) all accessible parking spaces shall be marked by an identifying marker on the pavement consisting of the International Symbol of Access as a 1.53 x 1.53 m white border and symbol with a blue

background field colour centered on the parking stall 0.5-0.8 m from the traffic aisle;

- e) all accessible parking spaces shall be appropriately signed in accordance with provincial regulations;
- f) a minimum vertical clearance of 2.9 metres (10 feet) shall be provided at accessible parking spaces, passenger loading zones, and along access routes to accessible parking spaces;
- g) gradient for a barrier free vehicle parking space shall not exceed five (5) per cent;
- h) wheelstops shall be placed to provide a minimum 0.8 metres clear space for wheelchair access;
- i) accessible parking spaces shall be located closest to the nearest accessible entrances(s) of the building on an accessible route;
- j) curb ramps, where required, shall be provided to permit access from the parking area to a sidewalk.

(By-Law Numbers 8499; 2007-16; 2017-72)

B. The following regulations shall govern the provision and maintenance of off-street parking facilities.

- (a) In the A6 zone, one paved parking and access pad 3.0m x 12.0m in size shall be provided on each mobile home lot.
- (b) For Zones A and A4:
 - i. parking facilities for all permitted uses that are not located within an enclosed building shall not be located in any front yard space.

(By-Law Numbers 8499 – 1975; 83-168 – 1983)

- ii. notwithstanding the provisions of Section 5.3 B.(b)(i) parking in zones A and A4 may be located on a lot not more than 60.0m from the lot upon which the main building is situated, but shall not occupy any front yard space.

(By-Law Number 8499; 2019-145)

- (c) For Zones A1, A2, A3, and A5 parking facilities for all permitted uses shall be provided on the same lot or premises as the referred structure or use and shall not be located in any front yard space.

(By-Law Numbers 8499 – 1975; 79-174; 83-168; 95-189; 2010-149)

- (cc) For Zones A, A1, A2, A3, A4, A5, A6 and A7, up to 40 square metres of the rear yard or interior side yard may be used as uncovered surface parking spaces for residential uses."

(By-Law Numbers 8499; 2008-166; 2017-72; 2019-145)

- (d) for Zones B and B3 parking facilities for all permitted uses shall be located either:

- i. within an enclosed building, or
- ii. to the rear of a point midway between the front and rear wall of the main building when this main building is situated on a lot which abuts one street only, or
- iii. no closer to the street line than the nearest wall of the main building to the street line when this main building is situated on a lot which abuts two or more streets, or

(By-Law Number 8499 – 1975)

- iv. on a lot not more than 60.0m from the lot upon which the main building is situated, but shall not occupy any front yard space.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (e) For Zones B1 and B2 parking facilities for all permitted uses shall be provided on the same lot or premise as the referred to structure or use and must be located either:

- i. to the rear of a point midway between the front and rear walls of the main building when this main building is situated on a lot which abuts one street only, or
- ii. no closer to any street line than the nearest wall of the main building to the street line when this main building is situated on a lot which abuts two or more streets.

- (f) For Zone C residential parking facilities shall be located either:

- i. within an enclosed building, or

- ii. to the rear of a point midway between the front and rear walls of the main building when this main building is situated on a lot which abuts one street only, or
- iii. no closer to any street line than the nearest wall of the main building to the street line when this main building is situated on a lot which abuts two or more streets, or

(By-Law Number 8499 – 1975)

- iv. on a lot not more than 60.0m from the lot upon which the main building is situated, but shall not occupy any front yard space.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(g) In Zone C1 and C4:

- i. Residential parking facilities that are not located within an enclosed building shall not be located in any front yard space, shall not form part of any street, lane or required loading space and shall be provided on the lot occupied by the building, structure or use for which said parking area is required, except in a driveway which shall be permitted to be a maximum of 2.5m wide but shall not exceed 25 per cent of the width of the lot.
- ii. Notwithstanding the provisions of Section 5.3.B.(g)(i) residential parking in Zone C1 or C4 may be located on a vacant lot not more than 60.0m from the lot upon which the main building is situated, but shall not occupy any front yard space and shall not form part of any street, lane or required loading space.

(By-Law Number 8499 – 1975; 2005-208 – 2005; 2015-181)

(h) Design Standards

The minimum size of a parking space shall be 2.7m wide and 6.0m long. All off-street automobile parking facilities shall be designed with appropriate means of access to streets or lanes as well as maneuvering areas and all parking facilities shall be suitably graded and surfaced, and all parking spaces suitably marked. Where four or more parking spaces are required, such parking areas shall be provided with at least one entrance lane and one exit lane for vehicles. All parking areas shall be provided with adequate driveways and aisles for the removal of a vehicle without the necessity of moving any other vehicle.

(i) Restrictions in Residential Zones:

No person shall use any parking area or parking space in a Residential Zone except in accordance with the following regulations:

- i. Not more than one vehicle per dwelling unit shall be a commercial motor vehicle as defined in this By-Law.
- ii. The rated capacity of any such commercial motor vehicle shall not exceed two (2) tonnes.
- iii. Where a parking area or parking space is permitted or required by this By-Law in any Residential Zone, no person shall use such parking space for the parking of any motor vehicle unless such vehicle is used in operations incidental to the permitted uses in which such parking area or parking space is provided and bears a motor vehicle license plate or sticker which is currently valid.

(By-Law Numbers 8499; 2008-166)

(j) Recreational Vehicles, Watercraft, Trailers, etc.:

i. Vehicles Permitted:

In any Residential Zone, no person shall use or develop any lot, building or structure, or part thereof, for the purpose of parking or storing a boat, personal watercraft, all-terrain vehicle, motor home, travel trailer, tent trailer, camper, snowmobile or other recreational vehicle, or a utility trailer, except for:

- (i) one (1) boat which shall not exceed 8.2 metres in length;
- (ii) one (1) motor home which shall not exceed 8.2 metres in length;
- (iii) not more than two (2) personal watercraft, all-terrain vehicles, snowmobiles or other recreational vehicles, or any combination thereof;
- (iv) one (1) travel trailer, tent trailer or camper, which shall not exceed 8.2 metres in length, exclusive of hitch or tongue; and
- (v) one (1) utility trailer, which shall not exceed 8.2 metres in length, exclusive of hitch or tongue.

ii. Where Permitted:

In any Residential Zone, the parking or storage of a boat, personal watercraft, all-terrain vehicle, motor home, travel trailer, tent trailer, camper, snowmobile or other recreational vehicle, or a utility trailer shall only be permitted in a private garage or other building, or in an interior side yard or rear yard, but it shall not be parked or stored closer than 1.0 metre from any lot line, in any required parking space, or in a sight triangle.

iii. Temporary Storage or Parking:

- (a) In a Residential Zone, the temporary parking or storage of a boat; a motor home or a travel trailer, but not both; a personal watercraft, an all-terrain vehicle or other recreational vehicle; or a utility trailer shall be permitted between April 1 and October 31 of each year in a permitted driveway in a front yard or in an exterior side yard, provided that the lot is not used for multiple family dwelling or group dwelling purposes, but it shall not be parked or stored closer than 1.0 metre from any lot line, in any required parking space, or in a sight triangle.
- (b) In a Residential Zone, the temporary parking or storage of a snowmobile shall be permitted between November 1 and March 31 of the following year in a permitted driveway in a front yard or in an exterior side yard, provided that the lot is not used for multiple family dwelling or group dwelling purposes, but it shall not be parked or stored closer than 1.0 metre from any lot line, in any required parking space, or in a sight triangle."

(By-Law Numbers 8499 – 1975; 2007-161; 79-174; 2002-184; 2008-166;
2019-145)

(k) Driveway Width:

- (i) In a Residential Zone, the minimum width of a driveway shall be 3.0 metres.
- (ii) In a Residential Zone, the maximum width of a driveway within the required front yard shall be the lesser of:
 - (a) 6 metres, or

- (b) 40% of the lot width, provided that the minimum width of the driveway shall not be less than 3.0 metres.

For the purposes of calculating the maximum width of a driveway, the lot width shall mean the horizontal distance between the side lot lines, with such distance measured perpendicularly to the mid-point of the lot depth. For a corner lot, the lot width shall mean the horizontal distance between the longer lot line abutting a street and the side lot line opposite to it, with such distance measured perpendicularly to the mid-point of the lot depth.

- (iii) In a Residential Zone, the maximum width of a driveway beyond the required front yard shall not exceed 6 metres, except where there is a garage, the maximum width of a driveway beyond the required front yard shall not exceed 6 metres or the width of the garage walls, whichever is greater.
- (iv) The width of a driveway shall be measured perpendicular to the direction in which a motor vehicle drives.

(By-Law 8499; 2019-145)

(l) Parking in a Driveway:

- (i) Notwithstanding the provisions of Sections 5.3 B. (b), 5.3 B. (c), 5.3 B. (d) and 5.3 B. (e), in a Residential Zone, where the use on the lot is a one-family dwelling, two-family dwelling, row dwelling, semi-detached dwelling or linked dwelling, a parking space may be located in a permitted driveway in a front yard.
- (ii) In a Residential Zone, where the use on the lot is a one-family dwelling, two-family dwelling, row dwelling, semi-detached dwelling or linked dwelling, a driveway or a parking space in a driveway within the required front yard shall not be permitted parallel to the street line.

(By-Law 8499; 2019-145)

(m) Tandem Parking Spaces:

Notwithstanding any provisions to the contrary, in a Residential Zone, where parking spaces are provided for a one-family dwelling, two-family dwelling, row dwelling, semi-detached dwelling or linked dwelling in an individual driveway, carport and/or private garage, tandem parking spaces shall be permitted.F

(By-Law 8499; 2019-145)

5.4 Loading Facilities

Off-street loading facilities for all zones except the C zone east of Division Street shall be provided as follows:

- (a)
 - i. **Retail Stores** – 1 off-Street loading space per 465.0m² of total floor area, however not more than 2 such spaces shall be required unless the building has a total floor area of over 1,860.0 m², in which case there shall be provided 1 additional loading space for each additional 930.0 m² of total floor area.
 - ii. **Office Buildings** – 1 off-street loading space per 1,860.0 m² of total floor area
 - iii. **Hotels** – 1 off-street loading space per 2,325.0 m² of total floor area, however, not more than 2 such spaces shall be required unless the building has a total floor area of over 18,580.0 m² in which case 1 additional loading space shall be provided for each 3,715.0 m² of total floor space.
(By-Law Numbers 8499 – 1975; 79-174 – 1979)
 - iv. **Hospitals or Sanitariums** - 1 off-street loading space per 2,325.0m² of total floor area, however not more than 2 such spaces shall be required unless the building has a total floor area of over 9,290.0m², in which case 1 additional loading space shall be provided for each additional 4,645.0m² of total floor space.
(By-Law Numbers 8499 – 1975; 79-174 – 1979)
- (b) Off-street loading facilities shall be provided on the same lot or premises as the referred to structure of use.
- (c) All off-street loading facilities shall be designed with appropriate means of access to the street or lane sufficient to avoid undue interference with the public use of such streets or lanes and shall be suitably graded and surfaced. In no case shall the space provided exclusive of loading dock be less than 3.5m wide and not less than 10.5m in length nor have a height clearance of less than 4.3m. The off-street loading facilities shall be in addition to the parking area requirements.

5.5 Through Lots

- (a) Where a through lot has a depth of less than 46.0m an accessory building not exceeding 1 storey nor 4.6m in height may be located in one front yard if such accessory building is set back from the street line a distance of not less than 10 per cent of the depth of the lot and at least 3.0m from any

side lot line. In no case shall a building for accessory use project beyond the front yard line of an existing main building in the same block, but such building need not be located more than 7.5m from the street line.

(By-Law Numbers 8499 – 1975; 79-174 – 1979; 87-61 – 1987)

5.6 Reduction of Minimum Lot Area Prohibited

- (a) No lot area shall be so diminished that the lot area, lot width, yards or other required open spaces shall be less than that prescribed in this by-law.
- (b) When any part of a lot is required by this by-law to be reserved as a yard or other open space, it shall continue to be so used regardless of changes in the ownership of such land or part thereof, and shall not be deemed to form a part of an adjacent lot for the purpose of computing the area thereof available for building purposes.

5.7 Lots of Insufficient Size

Where in zones A1, A3, A5, and A6 on the day of passing of this by-law, the total area or width of any parcel (including adjacent parcels of land registered in the name of one person) is insufficient to meet the requirements of this by-law, such parcel may notwithstanding such requirements, have erected upon it one single family dwelling provided that:

(By-Law Number 8499 – 1975)

- (a) the side yards are not reduced more than enough to permit the erection of a dwelling having a total exterior width of not more than 7.5m.
- (b) the side yards are not reduced to less than 1.2m on each side.
- (c) on a corner lot the side yard abutting a street is not reduced to less than 7.5m.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (d) all other requirements for such zones are observed.

(By-Law Number 8499 – 1975)

5.7 (A) Reduction of Lot Area – Road Widening, Daylighting Triangles, etcetera

Notwithstanding any other section of this by-law, where any portion of a lot is, subsequent to 81 10 19, taken by the City for the purpose of a road widening, daylighting triangle, turning lane or other similar use, and such use is not required in order to provide entrances, exits, acceleration or deceleration lanes or other similar uses designed to serve the said lot, then the development potential as permitted in this by-law, for any building permit issued after 81 10 19, shall be calculated on the entire lot area including the area of the proposed road widening or other similar use.

(By-Law Number 82-67 – 1982)

5.8 Projections into Yards

- (a) A carport may be permitted over a driveway in a side yard if such structure is not more than 1 storey in height and provided that no part of the carport is located less than 0.3m from the lot line of the adjoining side lot.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (b) Cornices, eaves, belt courses, sills, canopies, or other similar architectural features (not including bay windows or vertical projections) may extend or project into a required side yard not more than 0.5m and may extend or project into a required front or rear yard not more than 0.8m. Chimneys may also project into a required front, side or rear yard not more than 0.3m.

- (c) Notwithstanding the yard and setback provisions of this by-law to the contrary, unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered, are permitted in any Residential Zone in accordance with the following provisions:

(By-Law Numbers 8499 – 1975; 79-174; 2005-208; 2007-161; 2008-166)

	Height Above Finished Grade Level		
	Finished grade level to 0.6 m	More than 0.6 m and less than 1.2 m	More than 1.2 m
Maximum Area	50 per cent of yard in which it is located.	50 per cent of yard in which it is located.	30 m ²
Minimum Setback from	May project 3.5m out from main building wall, but not	May project 2.5m out from main building wall, but not closer	Must meet setback requirement for individual zones.

Height Above Finished Grade Level			
	Finished grade level to 0.6 m	More than 0.6 m and less than 1.2 m	More than 1.2 m
Exterior Side Lot Line	closer than 3.5m to exterior side lot line.	than 3.5m to exterior side lot line.	
Minimum Setback from Interior Side Lot Line	0.6 m	<p>Must meet setback requirements for individual zones.</p> <p>For Semi-Detached Dwelling Houses: a) 1.2m; and, b) on the side with a common party wall: 0.3m or 0m if there is a common privacy barrier of a minimum height of 1.5m.</p> <p>For a Rowhouse: 0.3m or 0m if there is a common privacy barrier with a minimum height of 1.5m.</p>	<p>Must meet setback requirements for individual zones.</p> <p>For Semi-Detached Dwelling Houses: a) 1.2m; and, b) on the side with a common party wall: 0.3m or 0m if there is a common privacy barrier of a minimum height of 1.5m.</p> <p>For a Rowhouse: 0.3m or 0m if there is a common privacy barrier with a minimum height of 1.5m.</p>
Minimum Setback from Rear Lot Line	2m	2m	4m
Minimum Setback from Front Lot Line	May project 3.5m out from main building wall, but not closer than 3.5m to the front lot line.	May project 2.5m out from main building wall, but not closer than 3.5m to the front lot line.	Must meet setback requirements for individual zones.

(d) Barrier-Free Structures:

Notwithstanding any provisions of this by-law to the contrary, unenclosed structures necessary to ensure that a building and its facilities can be approached, entered, and used by persons with physical or sensory disabilities in accordance with the Ontario Building Code may project into any required front or side yard provided that the structure is not closer

than 0.3 metres from any side lot line. For clarification, the area of such structures shall not be used in the calculation of lot coverage.

(By-Law Numbers 8499 – 1975; 79-174; 2005-208; 2007-161, 2008-166)

(e) Deleted (2008-166)

(By-Law Numbers 8499 – 1975; 79-174; 2005-208; 2007-161; 2008-166)

f) Deleted (2008-166)

(By-Law Numbers 8499 – 1975; 79-174; 2005-208; 2007-161; 2008-166)

5.9 Structures in Front Yards Prohibited

In any zone the required front yard for any building shall be kept free of structures other than permitted signs.

(By-Law Number 8499 – 1975)

5.10 Screening Storage Yards

In any zone the front of any permitted yard used for storage shall be screened by a hedge, a brick or stone wall or painted fence not less than 1.8m in height.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

5.11 Regulations for Dwellings with Common Party Walls

For the purpose of side yard, lot width, lot area, lot coverage and lot occupancy regulations, the following dwelling with common party walls shall be considered as one building occupying one lot: semi-detached two and four family dwellings, row dwellings and court apartments.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

5.12 Rear Yard – Includes One-Half Lane

In computing the depth of rear yard where such yard abuts a lane, over which the owner has legal access one-half the width of such lane may be assumed to be a portion of the required rear yard.

(By-Law Number 8499 – 1975)

5.13 Rear Yard – Includes Loading Space

Loading space provided in accordance with this by-law may occupy a required rear yard.

(By-Law Number 8499 – 1975)

5.14 Structures Permitted Above the Height Limit

The height regulations herein set forth shall not apply to church spires, church belfries, chimneys, water tanks, elevator enclosures or penthouses of one storey only occupying in the aggregate less than 10 per cent of the area of the roof of the building on which they are located, nor shall they apply to silos, grain elevators, sugar refineries, scenery lofts, flagpoles, radio and television transmitters.

(By-Law Numbers 8499 – 1975; 83-110 – 1983)

5.15 Air Wells

Air wells or shafts shall not be considered as open spaces in computing the percentage of lot occupancy, nor shall any air well or shaft be constructed or used for the purpose of lighting or ventilating an accessory room.

(By-Law Number 8499 – 1975)

5.16 Avoidance of Obstructions in Court Areas

The area of a court at any level shall be open and unobstructed above such level, except for parapets, window sills, belt courses, cornices, and other ornamental features, projecting not more than 0.1m from the walls bounding such court; or for drop awning; or for clothes poles, garden trellises or similar accessories, provided that, subject to Section 5.17 herein, permissible accessory buildings may be located on the ground level of an outer court opening on a rear yard if the distance of any such building from any wall of such court is not less than the height of such building.

(By-Law Number 8499 – 1975)

5.17 Accessory Building

The following provisions shall govern the erection, alteration, enlargement, maintenance and use of accessory buildings:

(a) Zones A1, A2, A3, A5, A7 and B1:

- i. Maximum Height: 4.6m
- ii. Maximum Lot Coverage: 10 per cent of lot area
- i. Location of Lot

Detached Accessory buildings shall be located

- not less than 1.8m from main building
- not closer to the street than the front of the main building
- not closer to the street than the side of the main building on a corner lot.

(By-Law Numbers 8499 – 1975; 79-174 – 1979; 95-189 – 1995)

- iv. For detached accessory buildings located in the side yard, in addition to the foregoing regulations, the minimum side yard requirements of Sections 7.3(c), 8.3(c), 9.3(c), 11.3(c), 12A.3(c), 12A.3(d) and 14.3(b) shall apply respectively.

(By-Law Numbers 8725 – 1976; 95-189 – 1995)

(b) Zone A

- i. Maximum Building Height: 4.6m

(By-Law Number 83-168 – 1983)

- ii. Maximum Lot Coverage: 10 per cent of lot area

- iii. Location of Lot

- (1) Subject to Section 5.17 (c) (iii) (2) of this by-law, any accessory building shall be located in the rear yard of the main building it serves, and shall be no closer than 1.2 metres from any lot line.
- (2) A private garage may be located on any side yard, subject to the same setback and minimum side yard regulations as the main building it serves.
- (3) No accessory building shall be located within 1.2m of any window or door of the main building to which it is accessory, except on the case of interior lots 10.7m or less in width and which are on a registered plan registered prior to the passing of this by-law, in which case the accessory building may be located within 0.3m of any line of the lot on which it is erected or within 1.2m of any window or door of the main building to which it is accessory.
- (4) In the case of a corner lot at the rear of which (whether a lane intervenes or not) there is a lot restricted to residential purposes fronting on a street which flanks such corner lot, any accessory building erected upon such corner lot shall be located in such a manner that no part of it shall be nearer the street line of the flanking street than the distance described as a setback line for the said rear lot.

(By-Law Numbers 8499 – 1975; 8725 – 1976; 79-174; 2008-166)

(c) Zone A4

- i. Maximum Height: 4.6m

- ii. Distance Of Accessory Building From Main Building: 1.8m

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- iii. Sideyard: same as main building or 1.2m whichever is greater.

(By-Law Numbers 8499 – 1975; 2005-2008 – 2005)

- iv. Distance From Side Lot Line

(By-Law Number 8499 – 1975)

- (1) Attached Carport in Side Yard

Where a one storey carport not over 3.4m wide that is open on three sides except for necessary supporting columns is attached to the side of a dwelling, the carport may project into a side yard until it comes to within 0.3m of the side lot line.

- (2) Attached Garage in Side Yard

where a one storey garage is attached to the side of a dwelling the garage may project into the side yards until it comes to within 1.2m of the side lot line.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(d) Zone A6

- i. Maximum Height: the height of the mobile home to which it is accessory
- ii. Maximum Lot Coverage: 10 per cent of lot area
- iii. Location On Lot: same provision as govern the mobile home to which it is an accessory building.

(e) Zone B

- i. Maximum Height: 4.6m

(By-Law Number 83-168 – 1983)

- ii. Maximum Lot Coverage: 15 per cent of lot area
- iii. Location on Lot:

- (1) Subject to Section 5.17(e)(iii)(2) of this by-law, any accessory building shall be located in the rear yard of the main building it serves, and may be located on the lot line.

- (2) A private garage may be located in any side yard, subject to the same setback regulations as the main building it serves.

(By-law Number 8499 – 1975)

- (3) No accessory building shall be located within 1.2m of any window or door of the main building to which it is accessory, except in the case of interior lots 10.7m or less in width and which are on a registered plan, registered prior to the passing of this by-law, in which case the accessory building may be located within 0.3m of any line of the lot on which it is erected or within 1.2m of any window or door of the main building to which it is accessory.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (4) In the case of a corner lot at the rear of which (whether a lane intervenes or not) there is a lot restricted to residential purposes fronting on a street which flanks such corner lot, any accessory building erected upon such corner lot shall be located in such a manner that no part of it shall be nearer the street line of the flanking street than the distance described as a setback line for the said rear lot.

(By-Law Number 8499 – 1975)

(f) Zones B2 and B3:

- i. Maximum Height: 4.6m

(By-Law Number 8499 – 1975; 79-174 – 1979)

- ii. Maximum Lot Coverage: 10 per cent of lot area

- iii. Location On Lot: same as main building it serves.

- (g)** An attached garage in all zones shall be deemed to form part of the main building.

(By-Law Number 8499 – 1975)

- (h)** Notwithstanding any other section of this By-Law to the contrary, detached accessory buildings in a residential zone may be used for Amenity Area, Private. Home occupation uses are prohibited.

(By-law Numbers 8499 – 1975; 2008-166)

5.18 Corner Lots

Deleted.

(By-Law Number 8725 – 1976)

5.19 Swimming Pools and Associated Mechanical Equipment

(a) Residential Zones

- i. No swimming pool or its associated mechanical equipment shall be placed in any part of the front yard;
- ii. No part of the inside wetted surface of such swimming pool, may be located closer than 1.5 metres to any rear or side lot line;
- iii. No water circulating or treatment equipment, such as pumps or filters, shall be located closer than 3.0 metres to any interior side or rear lot line except where such equipment is enclosed in an accessory building;
- iv. A swimming pool shall not be considered as part of the lot coverage provided no part of the pool excluding its railing protrudes more than 1.4 metres above the ground level surrounding the swimming pool; and
- v. A swimming pool, whether above-ground or in-ground, or related structures or equipment of greater than 0.15 metres above finished grade shall not be located within 1.5 metres of any lot line and 3.5 metres of any exterior side lot line.

(By-law Numbers 8499-1975; 2008-166)

(b) Commercial and Institutional Zones

- i. No swimming pool or its associated mechanical equipment shall be placed in any part of a front yard;
- ii. Subject to Section 5.19(b)(i), no swimming pool or its associated mechanical equipment shall be placed closer than 7.5m to the street line if the adjacent land is in a residential zone;
- iii. Subject to Section 5.19(b)(i), no swimming pool or its associated mechanical equipment shall be placed closer than 3.0m to any other lot line if the adjacent land is in a residential zone.

5.20 Home Occupations

Home occupations are permitted in all residential zones provided that:

- i. No more than 25 per cent of the total floor area of the dwelling unit is used for the home occupation.

(By-Law Number 8499 – 1975)

- ii. There is no apparent visible indication from the exterior to show that a home occupation is present on the premises except that a personal identification sign, not to exceed 0.1 m² in area, shall be permitted.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- iii. There is no external storage of materials or containers, or exterior parking or storage of commercial or industrial vehicles or equipment, to indicate to persons outside that any part of the premises are being used for any purpose other than a dwelling.

(By-Law Number 8499 – 1975; 2002-184 – 2002)

- iv. There are no outside animal enclosures.

(By-Law Number 8499 – 1975)

- v. Not more than one person, who is not a member of the family resident in the dwelling unit in which the home occupation is carried out, may be involved in any way in the administration of, or the carrying out of, the home occupation. This prohibition shall also apply to active involvement by the customer or patron in the activity which results in the end product of the home occupation.

(By-Law Number 88-64 – 1988)

- vi. No equipment or process shall be used which creates noise, vibration, glare, fumes, odours, motor vehicle traffic or electrical interference in excess of that normally experienced in a residential neighbourhood.

(By-Law Number 8785 – 1976)

5.21 Boarding and Rooming Houses

Where a house is used as a boarding house or a rooming house:

(By-Law Number 8499 – 1975)

- (a) the minimum area of a room that may be used for sleeping accommodation by one occupant is 5.5m² and by two or more occupants is 3.7m² for each occupant.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (b) no sign advertising the existence of the house or the availability of a room shall be displayed so as to be visible from outside the house;
- (c) no cooking equipment shall be used in a room that is used for sleeping accommodation;
- (d) a water toilet, a wash basin and a bath tub or shower, served with both hot and cold water and maintained in full working order shall be provided for and easily available to each either occupants of the house.

(By-Law Number 8499 – 1975)

5.22 Residential Units Fronting on a Street

- (a) No building which is not fronting on a street shall be erected or altered for use as a dwelling.

(By-Law Number 8499 – 1975; 9229 – 1978)

- (b) No building at the rear of any other building on the same lot shall be erected or altered in such a manner as to produce the condition of a dwelling located in the rear of any other dwelling and not fronting on the street.

(By-Law Number 8499 – 1975)

- (c) The provisions and regulations of this section do not apply to group or row dwellings as defined in Section 4.29 or 4.30 of this by-law, and a group or row dwelling so located in the rear of any other dwelling and not fronting on a street need not provide a minimum front yard as required by the regulations for the zone within which it is located.

(By-Law Numbers 8499 – 1975; 8785 – 1976)

5.23 Deleted

(By-Law Numbers 8499 – 1975; 79-174 – 1979; 2017-167)

5.23 (A) Deleted

(By-Law Numbers 83-168 – 1983; 2005-208 – 2005; 2017-167)

5.24 Non-Conforming Uses

(a) Restoration of Damaged Building or Structure

A non-conforming building destroyed by any means beyond the control of the owner may be replaced and rebuilt to the same extent in its former location provided that construction is commenced within one year from the date of destruction and provided that the building is completed within a reasonable time thereafter. The Chief Building Official shall have regard for the clear intent of the Owner to reconstruct the damaged building in considering the issuance of a Building Permit in accordance with the aforementioned requirements.

(By-Law Number 8499 – 1975; 9229 – 1978 87-61 – 1987)

(b) Discontinued Use

Any non-conforming use of land, of a building or of a structure which is discontinued shall not be resumed nor shall such non-conforming use be changed to any other non-conforming use.

(By-Law Number 8499 – 1975)

(c) Change of Non-Conforming Uses

The non-conforming use of lands, of a building or of a structure shall not be changed except to a conforming use, or to a use similar in purpose or to a more compatible use with the uses permitted by the by-law as set out in the *Planning Act*, as amended.

(By-Law Numbers 8499 – 1975; 83-110 – 1983)

5.25 Central Heating, Ventilation and Air Conditioning Units

- (a) For the purpose of this Section, Central Air Conditioning Unit shall mean any device used for the purpose of cooling, dehumidification, circulating and cleaning of air and which utilizes duct work in its operation rather than directly discharging into the conditioned space.
- (b) For the purpose of this Section, Heat Pump shall mean any device used to gather heat from areas of relative cold and pump it to areas of relative heat.

- (c) For the purposes of this Section, Similar Heating, Ventilation and Air Conditioning (HVAC) Systems shall include all other devices used in the heating, cooling or exchanging of air in buildings or structures and may include but not necessarily be limited to, heat exchangers, electric generators, pumps associated with solar collectors.
- (d) (Deleted in its entirety by By-Law Number 2006-44)
- (e) No Central Air Conditioning Unit, Heat Pump or similar HVAC System shall be constructed or placed closer than 6.0 m to the front lot line of the property.
- (f) No Central Air Conditioning Unit, Heat Pump or similar Heating Ventilation and Air Conditioning (HVAC) System shall be constructed or placed closer than 1.2m to any side or rear lot line.

(By-Law Numbers 87-61 – 1987; 2006-44; 2006-28)

5.26 Projections into Certain Front Yards

Where a dwelling unit was lawfully erected closer to the front lot line than the depth of the front yard required by this by-law, a porch or verandah with or without a roof, may be added to the dwelling, if the depth of the porch or verandah is not closer to the front lot line than the established building line as defined in Section 10.3(c).

(By-Law Number 8499 – 1975; 9229 – 1978)

5.26A Amenity Area, Private for One and Two Family Dwelling Units

One and two family dwelling units shall contain a private amenity area subject to the provisions of Section 4.2A."

(By-Law Numbers 8499; 2007-161)

5.27 Amenity Area for Multiple Family Dwellings

For Multiple family dwelling, amenity areas as defined in Section 4.2 of this by-law shall be provided as follows:

- (a) A minimum of 18.5 square metres of amenity area shall be provided for each dwelling unit on the lot.
- (b) Amenity areas, or any part thereof, shall be designed and located so that the length does not exceed four times the width.

(c) Amenity areas, if provided as communal space, must be aggregated into one area or grouped into areas of not less than 54.0 square metres.

(d) Where an amenity area, provided as an outdoor area exterior to the residential building, is located at grade level, it may be included in the calculation of landscaped open space requirements.

(By-Law Numbers 8499 – 1975; 79-174 – 1979; 2005-212 – 2005; 2017-168)

5.28 Mixed Uses

Where two or more permitted uses are located or are to be located in one building or on one lot and when the regulations applicable to these uses are different, the most restrictive regulations shall be deemed to be in force for that lot or building.

5.29 Regulations for Structures

In all zones structures must comply with the same regulations as those set out for buildings.

(By-Law Number 8499 – 1975)

5.30 Development Control Provisions

Deleted.

(By-Law Numbers 79-158 – 1979)

NOTE: See By-Law Number 79-159, "A By-Law to Designate the City of Kingston As A Site Plan Control Area, Pursuant to Section 34(a) of The *Planning Act*, R.S.O. 1970, Chapter 349, As Amended."

5.31 Municipal Services Required

No land shall be used or built upon and no building or structure shall be erected, used or expanded for any purpose permitted by this by-law unless electric power and public water, sewer and street facilities are available to the lot in accordance with municipal standards.

Notwithstanding the foregoing, the following may be permitted without full municipal services:

(a) Any use, building or structure permitted by the Zoning By-Law which existed at the date of the passing of this By-Law and for which the prior

approval had been obtained from the Medical Officer of Health to permit the use of a private sewage disposal system;

- (b) Any permitted public park or conservation use on lots containing 4.0 ha or more.

(By-Law Number 87-61 – 1987)

- (c) Any model home(s) where a model home agreement has been executed (signed) by the owner on a lot prior to registration of the plan of subdivision subject to the provisions of Section 5.40 of this by-law.

(By-Law Number 2003-279 – 2003)

5.32 Community Home

No land, building or structure shall be used, and no building or structure shall be erected, altered, enlarged or maintained for the purpose of a Community Home, except in accordance with the following:

- (i) General

- (a) Community Homes shall comply with the requirements of the zoning category in which the Community Home is located unless otherwise specified by the by-law or amendments to the by-law.

- (b) A Community Home shall be registered with the City of Kingston according to a By-Law passed by Council for that purpose.

- (ii) Minimum Separation

A Community Home shall be located at least 250.0 m from any other Community Home, Community Support House, Residential Care Facility, Recovery Home, Community Support House, Crisis Care Shelter, Detoxification Centre or Corrections Residence.

(By-Law Number 91-17 – 1990)

- (iii) Minimum Rear Yard Amenity Area:

There shall be a minimum rear yard amenity area of 18.5 square metres for each Community Home resident, inclusive of staff and / or receiving family, and not less than a total of 150 square metres for each Community Home.

- (iv) Dwelling Type:

A Community Home shall occupy the whole of

- (a) a single detached dwelling unit;
- (b) a converted single detached dwelling unit;
- (c) a semi-detached dwelling (both units);
- (d) a duplex (both units);
- (e) a building constructed as a Community Home.

(v) Minimum Floor Area:

Including staff and / or receiving family shall be 18 square metres of gross floor area per resident.

(vi) Lot Area:

A new Community Home being constructed or any Community Home being established in an existing building shall comply with the minimum lot area requirement as set out in the zoning category in which the Community Home is located.

(vii) Existing Facilities:

Facilities lawfully existing on the date of the passing of By-Law Number 87-236 which meet Provincial licensing standards but do not comply with the by-law regulations for Community Homes as outlined in Subsections (ii), (iii), (iv), (v) and (vi) above shall be permitted to continue in operation. These facilities shall not be permitted to expand their operation beyond that which existed on the date of the passing of By-Law Number 87-236 without prior municipal approval.

(By-Law Numbers 87-136 – 1987; 91-17 – 1990)

5.33 Crisis Care Shelter

No land, building or structure shall be used, and no building or structure shall be erected, altered, enlarged or maintained for the purpose of a Crisis Care Shelter, except in accordance with the following regulations:

(i) General

- (a) Crisis Care Shelters shall comply with the requirements of the zoning category in which the Crisis Care Shelter is located unless otherwise specified by the by-law or amendments to the by-law.
- (b) A Crisis Care Shelter shall be registered with the City of Kingston according to a by-law passed by Council for that purpose.

(ii) Minimum Separation

A Crisis Care Shelter shall be located at least 250.0m from any other Crisis Care Shelter, Recovery Home, Corrections Residence, Detoxification Centre, Residential Care Facility, Community Support House and Community Home.

(iii) Minimum Rear Yard Amenity Area

There shall be a minimum rear yard amenity area of 150.0 square metres for each Crisis Care Shelter.

(iv) Building Type

A Crisis Care Shelter shall occupy the whole of:

- (a) a single detached dwelling unit;
- (b) a converted single detached dwelling unit;
- (c) a converted semi-detached dwelling (both units);
- (d) a converted duplex (both units);
- (e) a converted commercial building or a building constructed as a Crisis Care Shelter.

(v) Minimum Floor Area

There shall be a minimum of 9.0 square metres of floor area per resident.

(vi) Existing Facilities

Facilities lawfully existing on the date of the passing of By-Law Number 91-17 which meet Provincial licensing standards but do not comply with the by-law regulations for Crisis Care Shelters outlined in Subsections (ii), (iii), (iv) and (v) above, shall be permitted to continue in operation but will not be permitted to enlarge or expand their operation beyond that which

existed on the date of the passing of By-Law Number 91-17 without prior municipal approval.

(By-Law Number 91-17 – 1990)

5.34 Residential Care Facility

No land, building or structure shall be used, and no building or structure shall be erected, altered, enlarged or maintained for the purpose of a Residential Care Facility, except in accordance with the following regulations:

(i) General

(a) Residential Care Facilities shall comply with the requirements of the zoning category in which the Residential Care Facility is located unless otherwise specified by the by-law or amendments to the by-law.

(b) A Residential Care Facility shall be registered with the City of Kingston according to a by-law passed by Council for that purpose.

(By-Law Number 91-17 – 1990)

(ii) Minimum Separation

A Residential Care Facility shall be located at least 250.0m from any other Residential Care Facility, Community Support House, Recovery Home, Crisis Care Shelter, Corrections Residence, Detoxification Centre and Community Home.

(By-Law Number 91-17 – 1990)

(iii) Minimum Rear Yard Amenity Area

There shall be a minimum rear yard amenity area of 18.5 square metres per resident of the Residential Care Facility, inclusive of staff and / or receiving family.

(By-Law Number 91-17 – 1990)

(iv) Dwelling Type

A Residential Care Facility shall occupy the whole of:

(a) a single detached dwelling unit;

(b) a converted single detached dwelling unit;

- (c) a converted semi-detached dwelling (both units);
- (d) a converted duplex (both units);
- (e) a converted institutional building;
- (f) a building constructed as a Residential Care Facility.

(By-Law Number 91-17 – 1990)

(v) Minimum Floor Area

Including staff and / or receiving family, there shall be 18.0 square metres of gross floor area per resident.

(By-Law Number 91-17 – 1990)

(vi) Minimum Off-Street Parking

There shall be two (2) off-street parking spaces per Residential Care Facility, plus one (1) additional space for each four (4) employees (based on the maximum at any one time).

(By-Law Number 91-17 – 1990)

(vii) Existing Facilities

Facilities lawfully existing on the date of the passing of By-Law Number 91-17 which meet Provincial licensing standards but do not comply with the by-law regulations for Residential Care Facilities outlined in Subsections (ii), (iii), (iv), (v) and (vi) above, shall be permitted to continue in operation provided that there is no expansion or enlargement of their operation beyond that which existed on the date of the passing of By-Law Number 91-17 without prior municipal approval.

(By-Law Number 91-17 – 1990)

5.35 Corrections Residence

No land, building or structure shall be used, and no building or structure shall be erected, altered, enlarged or maintained for the purpose of a Corrections Residence, except in accordance with the following regulations:

(i) General

- (a) Corrections Residences shall comply with the requirements of the zoning category in which the Corrections Residence is located

unless otherwise specified by the by-law or amendments to the by-law.

- (b) A Corrections Residence shall be registered with the City of Kingston according to a by-law passed by Council for that purpose.

(By-Law Number 91-17 – 1990)

(ii) Minimum Separation

A Corrections Residence shall be located at least 250.0m from any other Corrections Residence, Detoxification Centre, Community Support House, Residential Care Facility, Crisis Care Shelter, Recovery Home and Community Home.

(By-Law Number 91-17 – 1990)

(iii) Minimum Rear Yard Amenity Area

There shall be a minimum rear yard amenity area of 18.5 square metres for each resident of a Corrections Residence, inclusive of staff and / or receiving family, and in no case shall the minimum rear yard amenity area be less than 150 square metres.

(By-Law Number 91-17 – 1990)

(iv) Building Type

A Corrections Residence shall occupy the whole of:

- (a) a single detached dwelling unit;
- (b) a converted single detached dwelling unit;
- (c) a converted semi-detached dwelling (both units);
- (d) a converted duplex (both units);
- (e) a converted fully detached commercial or institutional building or a detached building constructed as a Corrections Residence.

(By-Law Number 91-17 – 1990)

(v) Minimum Off-Street Parking

There shall be two (2) off-street parking spaces per Corrections Residence, plus one (1) additional space for each four (4) employees (based on the maximum at any one time).

(By-Law Number 91-17 – 1990)

(vi) Minimum Floor Area

There shall be 18.0 square metres of gross floor area per resident including staff and / or receiving family.

(By-Law Number 91-17 – 1990)

(vii) Lot Area

Any new Corrections Residence being constructed or any Corrections Residence being established in an existing building shall comply with the minimum lot area requirement as set out in the zoning category in which the Corrections Residence is being located.

(By-Law Number 91-17 – 1990)

(viii) Existing Facilities

Facilities lawfully existing on the date of the passing of By-Law Number 91-17 which meet Provincial licensing standards but do not comply with the by-law regulations for Corrections Residences outlined in Subsections (ii), (iii), (iv), (v), (vi) and (vii) above shall be permitted to continue in operation. These facilities shall not be permitted to expand their operation beyond that which existed on the date of the passing of By-Law Number 91-17 without prior municipal approval.

(By-Law Number 91-17 – 1990)

5.36 Recovery Home

No land, building or structure shall be used, and no building or structure shall be erected, altered, enlarged or maintained for the purpose of a Recovery Home, except in accordance with the following regulations:

(i) General

(a) Recovery Homes shall comply with the requirements of the zoning category in which the Recovery Home is located unless otherwise specified by the by-law or amendments to the by-law.

- (b) A Recovery Home shall be registered with the City of Kingston according to a By-Law passed by Council for that purpose.

(By-Law Number 91-17 – 1990)

(ii) Minimum Separation

A Recovery Home shall be located at least 250.0 m from any other Recovery Home, Crisis Care Shelter, Detoxification Centre, Community Support House, Residential Care Facility, Corrections Residence and Community Home.

(By-Law Number 91-17 – 1990)

(iii) Minimum Rear Yard Amenity Area

There shall be a minimum rear yard amenity area of 18.5 square metres per resident, inclusive of staff and/or receiving family.

(By-Law Number 91-17 – 1990)

(iv) Dwelling Type

A Recovery Home shall occupy the whole of:

- (a) a single detached dwelling unit;
- (b) a converted single detached dwelling unit;
- (c) a converted semi-detached dwelling (both units);
- (d) a converted duplex (both units);
- (e) a converted commercial or institutional building or a building constructed as a Recovery Home.

(By-Law Number 91-17 – 1990)

(v) Minimum Floor Area

There shall be a minimum of 18.0 square metres of floor area per resident including staff and/or receiving family.

(By-Law Number 91-17 – 1990)

(vi) Minimum Off-Street Parking

There shall be two (2) off-street parking spaces per Recovery Home, plus one (1) additional space for each four (4) employees (based on the maximum at any one time).

(By-Law Number 91-17 – 1990)

(vii) Lot Area

Any new Recovery Home being constructed or any Recovery Home being established in an existing building shall comply with the minimum lot area requirement as set out in the zoning category in which the Recovery Home is being located.

(By-Law Number 91-17 – 1990)

(viii) Existing Facilities

Facilities lawfully existing on the date of the passing of By-Law Number 91-17 which meet Provincial licensing standards but do not comply with the by-law regulations for Recovery Homes outlined in Subsections (ii), (iii), (iv), (v), (vi) and (vii) above shall be permitted to continue in operation. These facilities shall not be permitted to expand their operation beyond that which existed on the date of the passing of By-Law Number 91-17 without prior municipal approval.

(By-Law Number 91-17 – 1990)

5.37 Community Support House

No land, building or structure shall be used, and no building or structure shall be erected, altered, enlarged or maintained for the purpose of a Community Support House, except in accordance with the following regulations:

(i) General

(a) Community Support Houses shall comply with the requirements of the zoning category in which the Community Support House is located unless otherwise specified by the by-law or amendments to the by-law.

(b) A Community Support House shall be registered with the City of Kingston according to a By-Law passed by Council for that purpose.

(By-Law Number 91-17 – 1990)

(ii) Minimum Separation

A Community Support House shall be located at least 250.0 m from any other Community Support House, Residential Care Facility, Recovery Home, Crisis Care Shelter, Corrections Residence, Detoxification Centre and Community Home.

(By-Law Number 91-17 – 1990)

(iii) Minimum Rear Yard Amenity Area

There shall be a minimum rear yard amenity area of 18.5 square metres for each Community Support House resident, inclusive of staff and / or receiving family, and not less than a total of 150 square metres for each Community Support House.

(By-Law Number 91-17 – 1990)

(iv) Dwelling Type:

A Community Support House shall occupy the whole of

- (a) a single detached dwelling unit;
- (b) a converted single detached dwelling unit;
- (c) a semi-detached dwelling (both units);
- (d) a duplex (both units);
- (e) a building constructed as a Community Support house.

(By-Law Number 91-17 – 1990)

(v) Minimum Floor Area:

Including staff / and or receiving family shall be 18 square metres of gross floor area per resident.

(By-Law Number 91-17 – 1990)

(vi) Minimum Off-Street Parking:

There shall be three (3) off-street parking spaces per Community Support House, plus one (1) additional space for each four (4) employees (based on the maximum at any one time).

(By-Law Number 91-17 – 1990)

(vii) Lot Area:

Any new Community Support House being constructed or any Community Support House being established in an existing building shall comply with the minimum lot area requirement as set out in the zoning category in which the Community Support House is located.

(By-Law Number 91-17 – 1990)

(viii) Existing Facilities:

Facilities lawfully existing on the date of the passing of By-Law Number 91-17 which meet Provincial licensing standards but do not comply with the by-law regulations for Community Support Houses as outlined in Subsections (ii), (iii), (iv), (v), (vi) and (vii) above shall be permitted to continue in operation. These facilities shall not be permitted to expand their operation beyond that which existed on the date of the passing of By Law Number 91-17 without prior municipal approval.

(By-Law Number 91-17 – 1990)

5.38 Detoxification Centre

No land, building or structure shall be used, and no building or structure shall be erected, altered, enlarged or maintained for the purpose of a Detoxification Centre, except in accordance with the following regulations:

(i) General

- (a) Detoxification Centres shall comply with the requirements of the zoning category in which the Detoxification Centre is located unless otherwise specified by the by-law or amendments to the by-law.
- (b) A Detoxification Centre shall be registered with the City of Kingston according to a by-law passed by Council for that purpose.

(By-Law Number 91-17 – 1990)

(ii) Minimum Separation

A Detoxification Centre shall be located at least 250.0m from any other Detoxification Centre, Recovery Home, Crisis Care Shelter, Community Support House, Residential Care Facility, Corrections Residence and Community Home.

(By-Law Number 91-17 – 1990)

(iii) Minimum Rear Yard Amenity Area

There shall be a minimum rear yard amenity area of 18.5 square metres per resident, inclusive of staff and / or receiving family, and in no case shall the rear yard amenity be less than 150.0m².

(By-Law Number 91-17 – 1990)

(iv) Dwelling Type

A Detoxification Centre shall occupy the whole of:

- (a) a single detached dwelling unit;
- (b) a converted single detached dwelling unit;
- (c) a converted semi-detached dwelling (both units);
- (d) converted duplex (both units);
- (e) a converted institutional building or a building constructed as a Detoxification Centre.

(By-Law Number 91-17 – 1990)

(v) Minimum Floor Area

There shall be a minimum of 18.0 square metres of floor area per resident, including staff and/or receiving family.

(By-Law Number 91-17 – 1990)

(vi) Minimum Off-Street Parking

There shall be two (2) off-street parking spaces per Detoxification Centre, plus one (1) additional space for each four (4) employees (based on the maximum at any one time).

(By-Law Number 91-17 – 1990)

(vii) Lot Area

Any new Detoxification Centre being constructed or any Detoxification Centre being established in an existing building shall comply with the

minimum lot area requirement as set out in the zoning category in which the Detoxification Centre is being located.

(By-Law Number 91-17 – 1990)

(viii) Existing Facilities

Facilities lawfully existing on the date of the passing of By-Law Number 91-17 which meet Provincial licensing standards but do not comply with the by-law regulations for Detoxification Centres outlined in Subsections (ii), (iii), (iv), (v), (vi) and (vii) above shall be permitted to continue in operation. These facilities shall not be permitted to expand their operation beyond that which existed on the date of the passing of By-Law Number 91-17 without prior municipal approval.

(By-Law Number 91-17 – 1990)

5.39 "H" Holding Zone Provisions

Pursuant to the provisions of the *Planning Act*, R.S.O., 1990, Council may specify, by the use of a Holding Symbol '-H', in conjunction with the appropriate zone symbol, the eventual use to which lands, buildings and structures may be put at such time in the future as the '-H' Holding Symbol is removed by a further amendment to the by-law. The Holding Symbol '-H' may be used in conjunction with any Zoning category in this by-law, in accordance with the following provisions:

- (i) Lands which are shown to be subject to an '-H' Holding Zone may be used only for the following purposes while the '-H' Holding Symbol is in place:
 - (a) Existing uses, subject to the provisions of the Zone category that was applicable to the lands prior to the establishment of the '-H' Holding Zone;
 - (b) Other uses, as deemed appropriate by Council, and as specified in the Amending Zoning By-Law establishing the '-H' Holding Zone.

(By-Law Number 99-85 – 1999)

- (c) Notwithstanding any other provisions to the contrary of this by-law, a model home may be constructed where a model home agreement has been executed (signed) by the owner on a lot prior to registration of the plan of subdivision subject to restrictions, as listed under General Provisions Section 5.40.

(By-Law Number 2003-379 – 2003)

This section shall not prevent the renovation of any building or structure or part of any such building or structure, or the alteration or renovation of an existing building or structure provided such alteration or renovation will not increase the height, size or volume, or change the use of such building or structure located in a Holding Zone.

- (ii) Subject to the removal of the '-H' Holding Symbol, the lands shall be used in accordance with the permitted uses and regulations of the associated Zone Symbol and any amendments thereto deemed appropriate by Council and specified in the Amending Zoning By-Law which established the '-H' Holding Zone or as otherwise approved by Council.
- (iii) The '-H' Holding Symbol shall only be removed once all of the following applicable requirements have been complied with:
 - (a) All applicable municipal requirements and financial arrangements have been completed to the satisfaction of Council;
 - (b) The required services are available or can be made available;
 - (c) The phasing and design of the proposed development is to Council's satisfaction;
 - (d) Any identified development constraints can be addressed to the satisfaction of Council;
 - (e) All necessary Agreements, such as the Subdivision Agreement or Site Plan Control Agreement, have been registered on title;
 - (f) City Council has given Notice pursuant to the requirements of the *Planning Act* of its intention to pass a By-Law to remove the '-H' Holding Symbol and has passed the appropriate amendment to the Zoning By-Law to remove the '-H' Holding Symbol pursuant to the *Planning Act*.

(By-Law Number 99-85 – 1999)

5.40 Model Homes in Draft Plans of Subdivision

Notwithstanding any other provision of this by-law, where a model home agreement has been executed (signed) by the owner, more than one single detached dwelling, semi-detached dwelling or a townhouse block may be

constructed on a lot for the purposes of a model home(s) prior to registration of the plan of subdivision subject to the following restrictions:

- (i) the use shall be permitted in the zone in which the dwelling or townhouse block is to be located;
- (ii) the dwelling unit shall be used for the purpose of a model home only and shall not be occupied as a dwelling unit prior to the date of the registration of the subdivision plan;
- (iii) the maximum number of model homes shall not exceed ten per cent (10%) of the total number of lots intended for single detached dwellings, semi-detached dwellings or townhouse purposes within the plan of subdivision proposed for registration, to a maximum of ten (10) units;
- (iv) the model home shall comply with all other provisions of this by-law, as though the dwellings and or units were constructed on the lot within the registered plan of subdivision; and
- (v) the model home shall comply with all applicable terms and conditions of the said model home agreement."

(By-Law Number 2003-379 – 2003)

5.41 Lot Servicing Requirements

No person shall erect any building or structure or use any lot in any zone, unless it is proven that the lot will have adequate capacity for sanitary sewer, stormwater sewer, and potable water."

(By-Law Number 2005-208 – 2005)

5.42 Drive-Through Service Facility

A new "Drive-Through Service Facility" shall be constructed or established in accordance with the following provisions:

- (i) Definitions for the purpose of this Section,
 - a. "Drive-Through Service Facility" shall mean an accessory or main use of a business that provides or dispenses products or services through an attendant or a window or automated machine to patrons remaining in motorized vehicles, including any associated stacking lanes, speaker system, microphone system, order board or other such structures. Despite the above, a drive-through service facility

does not include a car washing establishment, automobile service station or a gas bar.

- b. "Stacking Lane" shall mean an onsite queuing lane for motorized vehicles.
- (ii) No drive-through service facility shall be constructed or established within 50m of a residential use or zone that permits a residential use.
- (iii) A minimum 3m wide planting strip shall be provided along the lot line between the property containing the drive-through service facility and a residential use or zone that permits a residential use.
- (iv) All drive-through service facilities shall be subject to Site Plan Control approval.

(By-Law Numbers 8499-1975; 2008-166)

5.43 Intentionally Deleted

(By-Law Number 8499-1975; 2008-166; 2021-63)

5.44 Renewable Energy Systems

Static Renewable Energy Device: For the purpose of this section a Static Renewable Energy Device shall mean a device that produces, captures or conserves energy without visible motion or emissions such as noise, vibration, liquids, gases or combustion products; such devices may include solar panels, pool heaters, etcetera.

Notwithstanding the height provisions of this by-law to the contrary a Static Renewable Energy Device may exceed a height requirement by 0.5 metres.

(By-Law Numbers 8499-1975; 2008-166)

5.45 Second Residential Units

Notwithstanding any other provision of this By-Law, where a Second Residential Unit is permitted hereunder, the following provisions shall apply:

(i) A Second Residential Unit shall only be permitted in association with the following principal uses in any zone where that dwelling type is a listed permitted use:

- (a) Dwelling, One-Family
- (b) Dwelling, Semi-Detached
- (c) Dwelling, Row
- (d) Dwelling, Linked

(By-Law Number 8499; 2021-63)

(ii) The lands identified in Schedule "M" of this By-Law as having a Holding 'H' symbol for the purposes of introducing a Second Residential Unit shall be required to satisfy the following conditions to address the applicable servicing constraint, prior to the 'H' symbol being removed and a building permit being issued:

Constraint Area – Water Supply/Water Quality:

- (a) a Second Residential Unit that is contained or attached to the Principal Dwelling Unit: a letter of opinion signed by an independent, qualified professional holding a valid licence to practice in Ontario as either an engineer (P.Eng.) or geoscientist (P.Geo) shall be submitted to the City confirming that the private water supply is sufficient to support the Second Residential Unit in combination with the normal operation of the Principal Dwelling Unit on the lot. The letter must be in a form satisfactory to the City's Environment Director (or designate) and must adequately demonstrate how the supply well will support the increased demand required by the Second Residential Unit, while ensuring that neighbouring wells are not adversely impacted. In addition, the letter must include a statement confirming that any water quality treatment systems in place at the time of review are sufficient in terms of design, maintenance and condition to safely service the proposed Second Residential Unit in combination with the existing Principal Dwelling Unit.

Approval of the septic system must be obtained from the City or applicable approval authority.

(By-Law Number 8499; 2021-63)

(b) a detached Second Residential Unit: a hydrogeological study shall be completed to the satisfaction of the City's Environment Director (or designate) by an independent qualified professional (P.Eng.) or geoscientist (P.Geo), confirming that the groundwater quality and quantity are sufficient for the Second Residential Unit and will not adversely impact the water supply of adjacent lots and the Principal Dwelling Unit. In addition, the hydrogeological study must assess the potential for sewage system impact and demonstrate that:

- the area of Development is not hydrogeologically sensitive; and
- the sewage system is isolated from the receiving aquifer, or the impact of the Principal Dwelling Unit plus the Second Residential Unit is less than 10mg/L nitrate-nitrogen at the property boundary.

The hydrogeological study shall be completed in accordance with the City's Standard for Hydrogeological Assessments. The City's Environment Director (or designate) may, in its sole discretion, modify the requirements of a full hydrogeological study, if warranted.

Approval of the septic system must be obtained from the City or applicable approval authority.

(By-Law Number 8499; 2021-63)

- (iii) A Second Residential Unit shall not be permitted in a Cellar or Basement within the lands identified as Constraint Area – Sewer Surcharging in Schedule "M" of this By-Law.
- (iv) A Second Residential Unit shall not be permitted in a Cellar or Basement within the lands identified as Constraint Area –Sewer Surcharging (Combined Storm and Sewer Systems) in Schedule "M" of this By-Law.
- (v) A Second Residential Unit shall only be permitted if it is connected to municipal services or private water and sewerage systems approved by the authority having jurisdiction.

- (vi) A Second Residential Unit shall not be permitted on a lot containing two or more Dwelling Units, a garden suite, a Boarding House, or a Lodging House.
- (vii) A Second Residential Unit shall not be permitted on the lands identified as Natural Hazards Area in Schedule "N" of this By-Law, or on any lands otherwise identified as a natural hazards area through a site-specific investigation or analysis.
- (viii) The establishment of a Second Residential Unit shall not be limited by any special zone provisions that establish the maximum number of Dwelling Units.
- (ix) A maximum of one Second Residential Unit shall be permitted per lot.
- (x) Where this By-Law calculates density as a measure of Dwelling Units per net hectare, a Second Residential Unit shall be exempt from this calculation.
- (xi) Second Residential Units shall be exempt from any minimum lot area requirement established per Dwelling Unit on a lot.
- (xii) A Second Residential Unit shall comply with the maximum floor space index (FSI), where such requirement has been established for the zone in which the Second Residential Unit is located.
- (xiii) A Second Residential Unit shall comply with the required minimum Landscaped Open Space, where such requirement has been established for the zone in which the Second Residential Unit is located.
- (xiv) A Tandem Parking Space shall be permitted to facilitate a Second Residential Unit. A parking space for a Second Residential Unit may be located in a permitted driveway that is within a front yard. The parking space for the Second Residential Unit shall meet all other applicable provisions of this By-Law.
- (xv) A Second Residential Unit shall comply with the minimum parking space requirements and the maximum bedroom requirements of this By-Law.

(By-Law Number 8499; 2021-63)

- (xvi) The exterior entrance to a Second Residential Unit, shall be accessed by a minimum 1.2 metre wide unobstructed pathway provided from the front of the Principal Dwelling Unit building or the front lot line.
- (xvii) For the purposes of subsection (xvi) above, a "pathway" is defined as a hard surface treated path that is separately delineated from the driveway and provides pedestrian access. "Unobstructed" means no obstructions to a height of up to 2.3 metres. This provision shall not prevent the establishment of a gate to access the rear yard.
- (xviii) No person may park a vehicle on any part of a pathway, as defined in subsection (xvii) above.
- (xix) **Deleted** see By-Law 2021-63
- (xx) Access to a detached second residential unit shall be in accordance with the Ontario Building Code.
- (xxi) Where a Principal Dwelling Unit is in a legal non-complying building, a Second Residential Unit shall be permitted within the existing Principal Dwelling Unit.
- (xxii) Where a Principal Dwelling Unit is in a legal non-complying building, a Second Residential Unit shall be permitted to be attached to the Principal Dwelling Unit if the Second Residential Unit conforms to the provisions of this By-Law and the Second Residential Unit does not in any way increase a situation of non-compliance.
- (xxiii) Where a Principal Dwelling Unit is in a legal non-complying building, a Second Residential Unit shall be permitted in a detached building if the detached building complies with this By-Law.
(By-Law Number 8499; 2021-63)
- (xxiv) A Second Residential Unit in a detached building is not subject to the accessory use regulations in Section 5.17 of this By-Law unless otherwise indicated below, and shall be permitted in accordance with the provisions of subsections (i) to (xxiii) above and the following additional provisions:
 - (a) a detached Second Residential Unit shall only be located within a rear yard or interior side yard and:
 - a) a detached Second Residential Unit shall not be located closer than 1.2 metres from the rear lot line;

- b) a detached Second Residential Unit shall not be located closer than 1.2 metres from the interior side lot line;
- c) the maximum height of a detached Second Residential Unit shall be the lesser of: 4.6 metres, measured to the highest point of the building; or one-storey above finished grade. For the purposes of this section, "storey" means that portion of a building between the top of any floor and the top of the floor next above it, or between the top of the floor and the ceiling above the floor, if there is no floor above it. Where the ceiling of a basement is at least 1 metre above finished grade, the basement shall be deemed to be a storey;
- d) a solid privacy fence with a minimum height of 1.8 metres shall be established in accordance with the following provisions:
 - i. when the detached Second Residential Unit is situated within a rear yard only, the privacy fence shall be established along the interior side lot lines and rear lot lines adjacent to the rear yard;
 - ii. when the detached Second Residential Unit is situated within a side yard only, the privacy fence shall be established along the interior side lot line closest to the detached Second Residential Unit extending from the intersection of the interior side lot line with the rear lot line and shall extend to the nearest part of the principal residential unit measured to the front lot line; or
 - iii. when the detached Second Residential Unit is situated within a rear yard and a side yard, fencing shall be established in accordance with both subsections (A) and (B) above.
- (b) a detached Second Residential Unit shall comply with the maximum lot coverage requirements for accessory buildings or structures as identified in Section 5.17 of this By-Law;
- (c) a detached Second Residential Unit shall comply with the minimum front yard depth and exterior side yard depth requirement of the zone in which it is located;
- (d) a detached Second Residential Unit shall comply with the minimum distance separation formulae; and
- (e) for the purpose of establishing a detached Second Residential Unit, the existing dwelling unit shall be considered the Principal Dwelling Unit.

(By-Law Number 8499; 2021-63)

- (xxv) A Second Residential Unit in a detached building is not subject to the accessory building regulations contained in Section 5.17 of this By-Law unless otherwise indicated below, and will be permitted in accordance with the provisions of subsections (i) to (xx) above and the following additional provisions:
- (i) a detached Second Residential Unit shall comply with the minimum yard setbacks and maximum height applicable to the Principal Dwelling Unit in the zone in which such use is located;
 - (ii) a detached Second Residential Unit may be located within a rear or interior side yard, to a minimum setback of 1.2 metres from the rear or interior side yard lot line, provided the Second Residential Unit does not exceed 4.6 metres in height, and further provided that a solid privacy fence with a minimum height of 1.8 metres is established in accordance with the following provisions:
 - (a) when the detached Second Residential Unit is situated within a rear yard only, the privacy fence shall be established around the entire perimeter of the rear yard (i.e., along the side and rear lot lines as applicable);
 - (b) when the detached Second Residential Unit is situated within a side yard only, the privacy fence shall be established along the side yard lot line closest to the detached Second Residential Unit extending from the intersection of the side lot line with the rear lot line and shall extend to the nearest part of the Primary Dwelling Unit measured to the front lot line; or
 - (c) when the detached Second Residential Unit is situated within a rear yard and a side yard, fencing shall be established in accordance with provisions set out in both subsections (I) and (II) above;
 - (iii) a detached Second Residential Unit shall comply with the maximum lot coverage requirements in the applicable zone for accessory buildings, as identified in Section 5.17 of this By-Law;
 - (iv) a detached Second Residential Unit shall not be located in the front yard; and
 - (v) a detached Second Residential Unit shall comply with the minimum distance separation formulae.

(By-Law Number 8499; 2019-87)

5.46 Maximum Number of Bedrooms

- a) In the A, A1, A2, A3, A4, A5, A6, A7 and A8 Zones, a maximum of 8 bedrooms is permitted on a lot, in the aggregate, notwithstanding the number of dwelling units on the lot.
- b) In the B, B1, B2, B3, and E Zones where there are two or less dwelling units on a lot, a maximum of 8 bedrooms is permitted on the lot, in the aggregate.
- c) Notwithstanding anything to the contrary, the expansion, repair or renovation of a building or structure that does not comply with the requirements of this section is permitted, provided that the expansion, repair or renovation: (a) does not increase the number of bedrooms; (b) conforms to the provisions of this By-Law; and (c) does not in any way increase a situation of non-compliance.

(By-Law Number 8499; 2021-63)

Part II – Residential Zones

Section 6: General Provisions for One-Family Dwelling and Two-Family Dwelling Zone "A"

6.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in the A zones:

6.2 The following uses only shall be permitted in A zones:

(a) one-family dwellings;

(b) two-family dwellings;

(By-Law Numbers 8499 – 1975; 82-89 – 1982; 2017-167)

(c) libraries, art galleries and museums;

(d) public or private day schools;

(e) community halls;

(f) churches, church halls;

(g) institutions or homes operated or supervised by a Children's Aid Society as defined by the Child Welfare Act, or its legal successor, for the temporary shelter and protection of Children;

(By-Law Number 8499 – 1975)

(h) Community Homes, subject to the provisions of Section 5.32 of this by-law;

(By-Law Numbers 79-6 – 1979; 87-236 – 1987; 91-17 – 1990)

(i) Providence Manor and Rideaucrest Home for the Aged;

(j) Accessory buildings to any use permitted in A Zones.

(By-Law Number 8499 – 1975)

6.3 The following regulations shall apply to lands, buildings or structures erected in A Zones:

(a) Minimum Lot Area

- (i) 370.0m² per dwelling unit except that the foregoing minimum shall not apply to any lot which on the day of the passing of this by-law had built on it a one or two family dwelling or was described in accordance with a registered plan of subdivision or by metes and bounds description or other instrument, provided that such lot has not been computed as part of any adjacent lot for the purpose of meeting any requirement of this by-law, and provided that no new two family dwelling may be constructed and no existing single family dwelling may be altered to create a two family dwelling if the lot on which it is located will contain less than 370.0 square metres of lot area per dwelling unit.
- (ii) Notwithstanding anything to the contrary in this by-law, no lot on which is located a dwelling containing more than two dwelling units may be reduced in size if the effect will be to leave the lot with less than 370.0 square metres of area per dwelling unit.
- (iii) Notwithstanding anything to the contrary contained in this By-Law, for any existing two family dwelling located on a lot which contains less than 370.0 square metres of lot area per dwelling unit, there shall be no extension, expansion or structural alteration which has the effect of adding any new floor area to the said two family dwelling.

(By-Law Number 93-200 – 1995; 2017-167)

(b) Minimum Front Yard

- (i) Where the nearest previously erected building fronting on the same street is located less than 30.0m from a building to be erected, structurally altered, enlarged or maintained and when there is no other building within 30.0m, located on the opposite side of the above mentioned building which is to be erected, structurally altered, enlarged or maintained, the minimum required front yard shall be the average between the following two distances:

(By-Law Numbers 8499 – 1975; 79-174 – 1979; 93-200 – 1993)

- (1) the front yard of the previously erected building excluding steps and eaves, and
- (2) 4.5m

(By-Law Numbers 8499 – 1975; 93-200 – 1993)

- (ii) Where the nearest previously erected building fronting on the same street is located less than 30.0m from a building which is to be erected, structurally altered, enlarged or maintained and there is another previously erected building within 30.0m located on the opposite side of the building to be erected, structurally altered, enlarged or maintained the minimum required front yard shall be the average depth of the front yards of the two above mentioned previously erected buildings.

(By-Law Numbers 8499 – 1975; 79-174 – 1979; 93-200 – 1993)

- (iii) In all other cases the minimum required front yard shall be 4.5m.

(By-Law Numbers 8499 – 1975; 93-200 – 1993);

(c) Minimum Side Yard

- (i) Minimum side yard width (one and two-family dwellings) 0.6m. The minimum aggregate side yard width shall be 3.6m or 3/10 of the width of the lot, whichever is the lesser width. The width of any lot adjoining a lane or a right-of-way over which the owners of the said lot has had access shall, for the purpose of this subsection of this by-law only, be assumed to include one half of the width of the said lane or right-of-way.

(By-Law Numbers 8499 – 1975; 79-174 – 1979; 93-200 – 1993)

- (ii) Minimum side yard width for a public or semi-public building: side yards shall be provided on each side, other than on a side facing a street, and each side yard shall have a width that is not less than one-half of the height of the building.

- (iii) Front Yards – Corner Lots

Buildings on corner lots shall be subject to the Front Yard regulations on the two streets on which such lots abut.

(By-Law Numbers 8499 – 1975; 93-200 – 1993)

(d) Minimum Rear Yard

- (i) The minimum rear yard requirement for any building permitted in the A zone shall not at any point throughout its length, be less than the greater of either (1) the height of the rear wall of the main building, or (2) 25 per cent of the lot depth; provided however, the depth of the rear yard need not exceed 7.5m.
- (ii) When in Zone A the shape of a lot is such that it does not permit a rear yard having the dimensions required by this by-law, there may be substituted for such rear yard an equal area located between the main building and the side lot line, provided that there shall be, at any point, a distance of not less than 3.0m between any rear wall of such building and the rear lot line, and that such substituted area, and the side yard on that side of the building opposite to it, shall be subject to the provisions of this by-law controlling rear and side yards and the walls facing thereon.

(By-Law Numbers 8499 – 1975; 79-174 – 1979; 93-200 – 1993)

(e) Maximum Percentage of Lot Coverage

33 1/3 per cent of the total lot area. (In computing the percentage of lot coverage of any building on a lot which has a lane or right-of-way over which the owner of the said lot has legal access, extending along the side or along the rear thereof, one-half of the area of that portion of such lane or right-of-way which is adjacent to and bordering on such lot, not exceeding in any case ten per cent of the area of the lot proper, may be deemed to be a portion of that lot.)

(By-Law Number 93-200 – 1993)

(f) Maximum Building Height

(i) Definitions

For the purpose of this Section 6.3(f):

- (1) **Building Height** means the vertical distance measured from the average finished grade of the entire lot to the highest point of the roof surface.
- (2) **Dormer** means framing which projects from a sloping roof, providing an internal recess in the roof space.

- (3) **Dormer Window** means a vertical window in a dormer for lighting a room adjoining a sloping roof.
- (4) **Gable** means the upper triangular-shaped portion of the end wall of a building.
- (5) **Ridge Line** means the summit line of a roof; the line on which the rafters meet.

(By-Law Number 93-200 – 1993)

(ii) Maximum Residential Building Height

- (1) The maximum permitted building height for any permitted residential building in the A Zone shall be 10.7m at the ridge line.
- (2) The maximum permitted height of any exterior wall exclusive of end gable shall be 7.0m.
- (3) A flat roof shall not be permitted above the 7.0m exterior wall.

(By-Law Number 93-200 – 1993)

- (4) A sloping roof extending from a ridge line to the top of a perimeter wall above a first storey may contain a dormer(s) provided that:
 - (a) the front wall of the dormer(s) is setback at least 40.6cm (16 inches) from the building's main wall;
 - (b) the sidewalls of the dormer(s) are setback at least 106.7cm (3 feet 6 inches) from the roof at the end of the existing roof; and
 - (c) the dormer(s) does not exceed 4.6m (15 feet) or one-half (1/2) of the main roof's length, whichever is shorter. Where a sloping roof has more than one dormer, the combined length of all dormers shall not exceed 4.6m (15 feet) or one-half (1/2) of the main roof's length, whichever is shorter.

(By-Law Numbers 93-200 – 1993; 2005-212)

(iii) Maximum Non-Residential Building Height

- (1) The maximum permitted building height for any existing non-residential building in the A Zone shall be the height of the existing building.
- (2) The maximum permitted building height for any new non-residential building in the A Zone shall be 10.7m.

(By-Law Number 93-200 – 1993)

(g) Maximum Permitted Residential Building Depth

(i) Definitions

For the purposes of this Section 6.3(g):

- (1) **Building Depth** means the horizontal distance between the front wall and the rear wall of a building.
- (2) **Front Wall** of a building means the wall which faces the street. In the case of a corner lot, the shortest wall facing a street shall be considered the front wall.
- (3) **Rear Wall** of a building means the wall which faces the rear lot line.
- (4) **Established Front Building Line** means a line representing the location of the front wall of a building or the horizontal projection thereof, situated closest to the street, excluding any unenclosed porches, platforms, landing places or balconies.
- (5) **Established Rear Building Line** means a line representing the location of the rear wall of a building or the horizontal projection thereof, situated nearest to the rear lot line, excluding any unenclosed porches, platforms, landing places or balconies.

(ii) Maximum Permitted Residential Building Depth

- (1) In addition to the minimum rear yard regulations of Section 6.3(d), the maximum permitted building depth for any permitted residential building in the A Zone shall be:

- (a) the average distance between the established front building lines and the established rear building lines of the two nearest permitted residential buildings on the nearest lots on the same block on opposite sides of the subject building.
- (2) Nothing in this Section 6.3(g) shall prevent the construction, erection, or use of an unenclosed porch or verandah to the rear entrance of or along the rear wall of an existing dwelling.

(By-Law Number 93-200 – 1993)

(h) Maximum Floor Space Index

(i) Definitions

For the purposes of this Section 6.3(h):

- (1) **Floor Space Index** means the ratio of the gross floor area of the building to the area of the lot on which the building is constructed.
- (2) **Floor Area, Gross**, means the sum total of the gross horizontal areas of all floors of the main building on a lot, measured from the exterior faces of the exterior walls or from the centreline of the common wall separating two buildings, and the "floor area, gross" of a building shall also include:
 - (a) basement floor area where the basement ceiling height is 2.1 metres (7.0 feet) or more, unless otherwise specified.
 - (b) attic space having headroom of 2.1 metres (7.0 feet) or more for at least half the attic floor area.
 - (c) interior balconies and mezzanines.
 - (d) enclosed porches.
 - (e) elevator shafts and stairwells at each floor, and floor area used for mechanical equipment.

- (f) floor area devoted to accessory uses in the main building.
- (g) floor area used for a private garage in the main building.

but area contained within a detached accessory building is not included in the "floor area".

- (ii) **Maximum Permitted Floor Space Index: 1.0** provided that for the purposes of this Section 6.3(h), existing building shall be deemed to conform to the maximum floor space index regulations of this Section.

(By-Law Number 93-200 – 1993)

(i) Maximum Horizontal Dimension of Courts

The least permissible horizontal dimension of any court shall not be less than the height of such court.

(By-Law Numbers 8499 – 1975; 93-200 – 1993)

(j) Existing Multiple Family Dwellings Permitted:

Notwithstanding anything to the contrary contained in this by-law, any multiple family dwelling within Zone A constructed, or for the construction of which a Building Permit has been issued by the Chief Building Official or designate, before the date of the passage of this by-law by the City, which was constructed in accordance with all by-laws of the City in force at that date shall be deemed to be a use of land conforming with the provisions of this by-law. Extension, expansion or structural alteration which has the effect of adding new floor area or dwelling units to the said multiple family dwelling shall be prohibited.

(By-Law Numbers 8499 – 1975; 83-110 – 1983; 83-168 – 1983; 93-200 – 1993;
2005-212 – 2005)

(k) Accessory Building

As per Section 5.17 of this by-law.

(By-Law Number 8499 – 1975; 9229 – 1978; 9229 – 1978; 79-174 – 1979; 83-168 –
1983; 93-200 – 1993)

(l) Parking

As per Section 5.3 of this by-law.

(By-Law Number 83-168 – 1983; 93-200 – 1993)

(m) Loading Areas

As per Section 5.4 of this by-law.

(By-Law Number 87-234 – 1987; 93-200 – 1993)

(n) Amenity Areas (Existing Multiple Unit Dwellings)

Any addition to, or redevelopment of, existing multiple unit dwellings in the "A" Zone shall comply with the Amenity Area requirements of Section 5.27 of this by-law."

(By-Law Number 2005-212 – 2005; 2017-168)

(o) Minimum Percentage of Landscaped Open Space

30 per cent of the total lot area

(By-Law Number 8499; 2017-168)

Section 7: General Provisions for One-Family Dwelling Zone "A1"

7.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in A1 zones:

7.2 The following uses only shall be permitted in A1 Zones:

(a) one-family dwellings,

(b) libraries, art galleries and museums,

l Public or private day schools,

(d) community halls, non-commercial outdoor recreational facilities,

(By-Law Number 8499 – 1975)

l churches, church halls,

- (f) Community Homes, subject to the provisions of Section 5.32 of this by-law.

(By-Law Numbers 79-6 – 1979; 87-236 – 1987; 91-17 – 1990)

- (g) accessory buildings to any use permitted in A1 zones.

7.3 The following regulations shall apply to lands, buildings or structures erected in A1 zones:

(By-Law Number 8499 – 1975)

- (a) Maximum Height: 10.7m

- (b) Minimum Front Yard: 7.5m

I Minimum Side Yard Width

- (i) a side yard shall be provided on either side of the main building;
- (ii) the minimum aggregate side yard width shall be no less than 3.6m;
- (iii) each side yard shall not, at any point in its length, be a lesser width than 1.2m.
- (iv) Main buildings other than dwellings or accessory buildings if 4.6m or less high (each side) 3.0m, and for each additional 0.6m in height in excess of 4.6m (each side) 0.3m.
- (v) However, on a corner lot the minimum side yard abutting a street shall be 7.5m."

(By-Law Numbers 8499 – 1979; 2003-279 – 2003)

- (30) Minimum Rear Yard: 6.0m

(However, on a corner lot a side yard requirement may be substituted for the rear yard requirement.)

I Minimum Lot Area: 665.0m²

- (f) Minimum Lot Width: 18.0m

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (g) Loading Areas
As per Section 5.4 of this by-law.
- (h) Accessory Buildings
As per Section 5.17 of this by-law.
- (30) Parking
As per Section 5.3 of this by-law
- (j) **Minimum Percentage of Landscaped Open Space**
30 per cent of the total lot area
(By-law 8499; 2017-168)

Section 8: General Provision for One-Family Dwelling Zone "A2"

8.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in A2 zones:

8.2 The following uses only shall be permitted in A2 zones:

- (a) one-family dwellings,
- (b) libraries, art galleries and museums,
- (c) Public or private day schools,
- (d) Community halls, non-commercial outdoor recreational facilities,
- (e) churches, church halls,

(By-Law Number 8499 – 1975)

- (f) Community Homes, subject to the provisions of Section 5.32 of this by-law;

(By-Law Numbers 79-6 – 1979; 87-236 – 1987; 91-17 – 1990)

- (g) institutions of homes operated or supervised by a Children's Aid Society as defined by the Child Welfare Act, or its legal successor, for the temporary shelter and protection of children,

- (h) accessory buildings to any use permitted in A2 zones.

(By-Law Number 8499 – 1975; 79-6 – 1979)

- 8.3 The following regulations shall apply to lands, buildings or structures erected in A2 zones:

(By-Law Number 8499 – 1975)

- (a) Maximum Height: 10.7m
- (b) Minimum Front Yard: 7.5m
- (c) Minimum Side Yard Width
 - (i) a side yard shall be provided on either side of the main building;
 - (ii) the minimum aggregate side yard width shall be no less than 3.6m;
 - (iii) each side yard shall not, at any point in its length, be a lesser width than 1.2m.
 - (iv) Main buildings other than dwellings or accessory buildings if 4.6m or less high (each side 3.0m, and for each additional 0.6m in height in excess of 4.6m (each side) 0.3m.
 - (v) However, on a corner lot the minimum side yard abutting a street shall be 7.5m.

(By-Law Numbers 8499 – 1975; 2003-379 – 2003)

- (d) Minimum Rear Yard: 6.0m
(However, on a corner lot the minimum side yard requirement may be substituted for the rear yard requirement.)
- (e) Minimum Lot Area: 555.0m²
- (f) Minimum Lot Width: 15.0m
- (g) Minimum Width of Corner Lots: 16.5m
- (h) Parking

As per Section 5.3 of this by-law.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (i) Loading Areas

As per Section 5.4 of this by-law.

- (j) Accessory Buildings

As per Section 5.17 of this by-law

- (k) **Minimum Percentage of Lanscaped Open Space**

30 per cent of the total lot area

(By-Law Numbers 8499 – 1975; 2017-168)

Section 9: General Provisions For One-Family Dwelling and Two-Family Dwelling Zone "A3"

- 9.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in the A3 zones:

- 9.2 The following uses only shall be permitted in A3 zones:

- (a) one-family dwellings,
- (b) two-family dwellings,
- (c) accessory buildings to any use permitted in A3 zones,

(By-Law Number 8499 – 1975)

- (d) Community Homes, subject to the provisions of Section 5.32 of this by-law.

(By-Law Numbers 79-6 – 1979; 87-236 – 1987; 91-17 – 1991)

- 9.3 The following regulations shall apply to lands, buildings or structures erected in A3 zones:

- (a) Maximum Height (all buildings): 10.7m
- (b) Minimum Front Yard: 6.0m
- (c) Minimum Side Yard Width

- (i) a side yard shall be provided on either side of the main building;
- (ii) the minimum aggregate side yard width shall be no less than 3.0m;
- (iii) each side yard shall not, at any point in its length' be a lesser width than 1.2m; except for semi-detached dwellings which shall not be a lesser width than 2.4m on each side.
- (iv) However, on a corner lot the minimum side yard abutting a street shall be 6.0m

(By-Law Numbers 8499 – 1975; 2003-379 – 2003)

- (d) Minimum Rear Yard: 6.0m

However, on a corner lot a side yard requirement may be substituted for a rear yard requirement.

- (e) Minimum Lot Area

Single Family Dwellings: 418.0m²

Two-Family Dwellings: 555.0m²

(277.5m² for each unit)

- (f) Minimum Lot Width: 13.7m

Minimum width of corner lots: 16.5m

- (g) Off-Street Parking

As per Section 5.3 of this by-law.

- (h) Off-Street Loading

As per Section 5.4 of this by-law.

- (i) Accessory Buildings

As per Section 5.17 of this by-law

- (j) **Minimum Percentage of Landscaped Open Space**

30 per cent of the total lot area

(By-Law Numbers 8499 – 1975; 79-174; 2017-168)

Section 10: General Provisions for One-Family Dwelling and Two-Family Dwelling Zone "A4"

10.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in A4 zones:

10.2 The following uses only shall be permitted in A4 zones:

- (a) one-family dwellings,
- (b) two-family dwellings,
- (c) libraries, art galleries and museums,
- (d) public or private day schools,
- (e) community halls,
- (f) churches, church halls,

(By-Law Number 8499 – 1975)

- (g) Community Homes, subject to the provisions of Section 5.32 of this by-law,

(By-Law Numbers 79-6 – 1979; 87-236 – 1987; 91-17 – 1990)

- (h) accessory buildings to any use permitted in A4 zones.

(By-Law Numbers 8499 – 1975; 79-6 – 1979)

10.3 The following regulations shall apply to lands, buildings, or structures erected in A4 zones:

- (a) i. Minimum Lot Area
One-family dwelling: 465.0m²
Two-family dwelling (each unit): 418.0m²
- ii. Interior Lot Width: 12.0m
(per dwelling unit)
- iii. Corner Lot Width: 16.5m

iv. Minimum Front Yard: 4.5m

(By-Law Number 83-168 – 1983)

v. Minimum Side Yard Width

- (i) a side yard shall be provided on either side of the main building;
- (ii) the minimum aggregate side yard width shall be no less than 3.6m;
- (iii) each side yard shall not, at any point in its length, be a lesser width than 1.2m.
- (v) However on a corner lot the minimum side yard abutting a street shall be 4.5m.

(By-Law Numbers 83-168 – 1983; 2003-379 – 2003)

vi. Rear Yard: 5.0m

(By-Law Number 83-168 – 1983)

(b) Undersized Old Lots

Notwithstanding Sub-Section 10.3(a) where a lot that is described either by reference to a registered plan of subdivision or by metes and bounds in a deed or other instrument has an area of less than 465.0m², if the plan or other instrument was registered before the passing of this by-law, the minimum area of the lot and the minimum width of the lot for the purpose of erecting and using a one-family dwelling is the area of the lot and the width of the lot as described and the minimum width of a side yard other than the side yard abutting on the street on a corner lot is 1.2m.

(c) Established Building Lines

Notwithstanding Sub-Section 10.3(a) for a lot in a residential zone

- (i) where the building on the nearest built-up lot within 30.0m that fronts on the same street is closer to the front lot line than 4.5m, the depth of the front yard is the distance of the building from the front of the line: and

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- ii. where there is a building on such nearest built-up lot on both sides of the lot, the depth of the front yard is the average of the distances of the buildings from the front lot lines.

(d) Loading Areas

As per Section 5.4 of this by-law.

(e) Parking

As per Section 5.3 of this by-law.

(f) Accessory Buildings

As per Section 5.17 of this by-law

(g) **Minimum Percentage of Landscaped Open Space**

30 per cent of the total lot area

(By-Law 8499; 2017-168)

Section 11: General Provisions for One-Family Dwelling and Two-Family Dwelling Zone "A5"

11.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in A5 zones:

11.2 The following uses only shall be permitted in A5 zones:

- (a) one-family dwellings,
- (b) two-family dwellings,
- (c) public or private day schools,
- (d) churches, church halls,
- (e) libraries, art galleries and museums,
- (f) community halls,

- (g) institutions, homes or offices operated or supervised by a Children's Aid Society as defined by the Child Welfare Act, or its legal successor, for the temporary shelter and protection of children,

(By-Law Number 8499 – 1975)

- (h) Community Homes, subject to the provisions of Section 5.32 of this by-law,

(By-Law Numbers 79-6 – 1979; 87-236 – 1987; 91-17 – 1990)

- (i) accessory buildings to any use permitted in A5 zones.

(By-Law Numbers 8499 – 1975; 79-6 – 1979)

- 11.3 The following regulations shall apply to lands, buildings or structures erected in A5 zones:

(By-Law Number 8499 - 1975)

- (a) Maximum Height: 10.7m

- (b) Minimum Front Yard: 7.5m

- (c) Minimum Side Yard Width

- (i) a side yard shall be provided on either side of the main building;
- (ii) the minimum aggregate side yard width shall be no less than 3.0m;
- (iii) each side yard shall not, at any point in its length, be a lesser width than 1.2m.
- (iv) Main buildings other than dwellings or accessory buildings if 4.6m or less high (each side) 3.0m., and for each additional 0.6m in height in excess of 4.6m (each side) 0.3m.
- (v) However on a corner lot the minimum side yard abutting a street shall be 7.5m

(By-Law Numbers 8499 – 1975; 2003-379 – 2003)

- (d) Minimum Rear Yard: 6.0m

However on a corner lot a side yard requirement may be substituted for the rear yard requirement.

(e) Minimum Lot Area

Single Family dwelling: 465.0m²

Two-family dwellings: 370.0m² for each unit

Main buildings other than dwellings or accessory buildings: 465.0m²

(f) Minimum Lot Width: 15.0m

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(g) Parking

As per Section 5.3 of this by-law.

(h) Loading Areas

As per Section 5.4 of this by-law.

(i) Accessory Buildings

As per Section 5.17 of this by-law

(j) **Minimum Percentage of Landscaped Open Space**

30 per cent of the total lot area

(By-Law 8499; 2017-168)

Section 12: General Provisions for Mobile Home Residential Zone "A6"

12.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in A6 zones:

12.2 The following uses only shall be permitted in A6 zones:

(a) mobile home parks,

(b) commercial facilities supplying essential goods or services for exclusive use of the mobile home park residents,

- (c) accessory buildings to any use permitted in A6 zones.

12.3 The following regulations shall apply to lands, buildings, structures erected in A6 zones:

(By-Law Number 8499 – 1975)

- (a) Minimum Front Yard

No mobile home or structure may be located less than a distance of 4.5m from the edge of pavement of any roadway.

- (b) Minimum Side Yard

No mobile home or structure may be located less than a distance of 1.2m from any mobile home lot boundary.

- (c) Minimum Lot Area

No mobile home or structure may be located on a mobile home lot of less than 325.0m² for a single width units and 418.0m² for double width units.

- (d) Minimum Lot Width

No mobile home or structure may be located on a mobile home lot of less than 9.7m width for single width units and 12.0m width for double width units.

- (e) Minimum and Maximum Mobile Home Size

No mobile home which is less than 12.2m long and 3.0m wide or greater than 20.0m long and 7.3m wide shall be permitted within the mobile home park. Mobile homes shall not be more than one storey in height.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (f) Parking

As per Section 5.3 of this by-law.

- (g) Loading Areas

As per Section 5.4 of this by-law.

- (h) Accessory Buildings

As per Section 5.17 of this by-law.

(i) Separation

No mobile home may be located less than 4.5m from any other mobile home.

(j) Boundaries

No mobile home may be located less than 3.6m from any mobile home park boundary.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(k) No permanent commercial area shall be set aside for the sale of mobile homes within mobile home parks.

(l) No recreation vehicles as defined in Section 4 of this by-law shall be used for residential use.

(m) **Minimum Percentage of Landscaped Open Space**

30 per cent of the total lot area

(By-Law 8499; 2017-168)

Section 12A: General Provisions for One Family, Semi-Detached and Linked Dwelling Zone "A7"

12A.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in the 'A7' Zones:

12A.2 The following uses only shall be permitted in 'A7' Zones:

- (a) one family dwelling;
- (b) semi-detached dwellings;
- (c) linked dwellings, as defined in Section 12A.4 of this by-law;
- (d) community homes, subject to the provisions of Section 5.32 of this by-law;
- (e) accessory buildings to any use permitted in 'A7' Zones.

12A.3 The following regulations shall apply to lands, buildings, or structures erected in 'A7' Zones:

- (a) Maximum Height (All buildings): 10.7m
- (b) Minimum Front Yard: 6.0m
- (c) Minimum Side Yard (Interior)

One-Family Dwelling: 1.2m

- Provided that on a lot where there is no attached private garage or attached carport, the minimum interior side yard width shall be 2.4m on one side and 1.2m on the other side.

Semi-Detached Dwelling

- Minimum width for a side that is not attached to another dwelling unit and for which an attached garage or carport is provided: 1.2m
- Minimum width for a side that is not attached to another dwelling unit and for which an attached garage or carport is not provided: 2.4m

Linked Dwelling

- Minimum width for a side that is not attached to another dwelling unit at some point below ground level and for which an attached garage or carport is provided: 1.2m
- Minimum width for a side that is not attached to another dwelling unit at some point below ground level and for which an attached garage or carport is not provided: 2.4m
- Minimum horizontal distance between the two units comprising a linked dwelling: 1.8m

provided no windows shall be permitted on the exterior wall of a linked dwelling facing the dwelling unit to which it is connected

- (d) Minimum Side Yard (Exterior): The minimum side yard abutting a street shall be: 6.0m
- (e) Minimum Rear Yard: 6.0m

However, on a corner lot, a side yard requirement may be substituted for a rear yard requirement.

(f) Minimum Lot Area

One-Family Dwellings: 320.0m²

Semi-Detached and Linked Dwellings (270.m² for each unit): 540.m²

(g) Minimum Lot Width

One-Family Dwellings: 10.6m

One-Family Dwelling (Corner Lot): 14.0m

Semi-Detached Dwellings and Linked Dwellings: 18.0m

Semi-Detached Dwellings and Linked Dwellings (Corner Lot): 20.0m

(h) Off-Street Parking

Parking facilities not located in an enclosed building or covered structure such as a carport may be located in a front yard space, rear yard, interior side yard, or exterior side yard space. The following provisions shall apply to regulate such parking facilities:

(a) Any area used for a parking facility shall have a stable surface designed to support vehicle traffic.

(b) One-Family Dwellings, Semi-Detached Dwellings or Linked Dwellings:

(i) The location of a parking facility may extend from the front of the house to the front lot line, the maximum width of which shall be the lesser of 50 per cent of the lot frontage or 5.6 metres.

(ii) Notwithstanding the above provisions the following addresses shall be limited to the following widths:

(By-Law Numbers 8499; 2010-149)

60	Eugene Court	5.8 meters
63	Eugene Court	4.7 meters

67	Eugene Court	5.0 meters
68	Eugene Court	4.8 meters
71	Eugene Court	5.3 meters
34	Wiley Street	5.9 meters
36	Wiley Street	6.1 meters
42	Wiley Street	5.2 meters
44	Wiley Street	4.1 meters
46	Wiley Street	5.7 meters
48	Wiley Street	5.7 meters
49	Wiley Street	5.9 meters
54	Wiley Street	6.3 meters
56	Wiley Street	5.5 meters
60	Wiley Street	6.3 meters
96	Briceland Street	4.7 metres
100	Briceland Street	6.0 metres
102	Briceland Street	4.7 metres
104	Briceland Street	5.4 metres
108	Briceland Street	4.6 metres
110	Briceland Street	4.6 metres
116	Briceland Street	4.3 metres
120	Briceland Street	5.5 metres
124	Briceland Street	4.7 metres
126	Briceland Street	4.7 metres
128	Briceland Street	5.5 metres
130	Briceland Street	5.2 metres
132	Briceland Street	5.7 metres
134	Briceland Street	4.6 metres
138	Briceland Street	5.7 metres
140	Briceland Street	5.1 metres
142	Briceland Street	4.7 metres
146	Briceland Street	5.2 metres
148	Briceland Street	5.0 metres
150	Briceland Street	4.6 metres
152	Briceland Street	5.2 metres
158	Briceland Street	5.2 metres
162	Briceland Street	5.8 metres
164	Briceland Street	5.4 metres
166	Briceland Street	4.8 metres
168	Briceland Street	5.0 metres
170	Briceland Street	5.2 metres

171	Briceland Street	5.2 metres
172	Briceland Street	5.4 metres
174	Briceland Street	5.0 metres
175	Briceland Street	4.9 metres
176	Briceland Street	5.6 metres
177	Briceland Street	6.0 metres
178	Briceland Street	5.2 metres
180	Briceland Street	5.2 metres
182	Briceland Street	5.2 metres
184	Briceland Street	5.3 metres
186	Briceland Street	5.0 metres
188	Briceland Street	4.6 metres
190	Briceland Street	5.7 metres
192	Briceland Street	5.3 metres
194	Briceland Street	5.2 metres
196	Briceland Street	5.0 metres
198	Briceland Street	4.6 metres
200	Briceland Street	5.2 metres
202	Briceland Street	5.0 metres
206	Briceland Street	5.6 metres
208	Briceland Street	5.0 metres
210	Briceland Street	4.8 metres
212	Briceland Street	5.0 metres
214	Briceland Street	4.8 metres
216	Briceland Street	6.0 metres
219	Briceland Street	5.7 metres
221	Briceland Street	6.6 metres
222	Briceland Street	4.7 metres
224	Briceland Street	5.4 metres
226	Briceland Street	5.4 metres
228	Briceland Street	4.3 metres
230	Briceland Street	4.6 metres
232	Briceland Street	4.5 metres
234	Briceland Street	4.0 metres
		5.1 metres (OMB Order - File
234	Briceland Street	Number PL111035) see
		By-Law 2011-148
61	Wiley Street	3.4 metres
63	Wiley Street	3.4 metres
5	Wilfred Crescent	5.6 metres

10	Wilfred Crescent	5.5 metres
18	Wilfred Crescent	5.5 metres
19	Wilfred Crescent	4.7 metres
21	Wilfred Crescent	4.8 metres
23	Wilfred Crescent	4.4 metres
41	Wilfred Crescent	4.3 metres
43	Wilfred Crescent	4.0 metres
46	Wilfred Crescent	5.4 metres
47	Wilfred Crescent	4.3 metres
48	Wilfred Crescent	5.8 metres
55	Wilfred Crescent	5.7 metres
61	Wilfred Crescent	6.2 metres
63	Wilfred Crescent	6.3 metres
54	Wilson Street	5.5 metres
62	Wilson Street	4.0 metres

(By-Law Numbers 8499; 2010-149)

(i) Off-Street Loading

As per Section 5.4 of this by-law.

(j) Accessory Buildings

As per Section 5.17 of this by-law.

(k) **Minimum Percentage of Landscaped Open Space**

30 per cent of the total lot area

(By-Law 8499; 2017-168)

12A.4 Linked Dwelling shall mean dwellings which have no apparent structural connection above grade, but which are connected at some point below ground level by a common wall. Linked dwellings shall be considered as one building occupying one lot for by-law purposes.

(By-Law Number 95-189 – 1995)

Section 12B: General Provisions for Row Dwelling Zone 'A8'

- 12B.1 Subject to the compliance with the provisions of Section 5, the following provisions shall apply in the 'A.8' zones:
- 12B.2 The following uses only shall be permitted in the 'A8' Zones:
- (a) Residential Uses: row dwellings
 - (b) Non-Residential Uses: prohibited
- 12B.3 The following regulations shall apply to lands, buildings, or structures erected in 'A8' zones:
- (a) Definitions: For the purpose of the 'A8' zone, the following definitions shall apply:
 - i) Street means a dedicated public highway or right-of-way over private property.
 - ii) Exterior Side Yard means a side yard immediately adjoining a street
 - (b) Maximum Height: 10.7 metres
 - (c) Minimum Front Yard: 4.5 metres
 - (d) Minimum Exterior Side Yard: 3.0 metres
 - (e) Minimum Interior Side Yard: 0.6 metres
 - (f) Minimum Rear Yard: 6.0 metres
 - (g) Minimum Lot Area: 157 square metres
 - (h) Minimum Lot Width: 6.0 metres
 - (i) Minimum Lot Width of a Corner Lot: 9.0 metres
 - (j) Maximum Number of Dwelling Units Per Building: 8
 - (k) Minimum Off-Street Parking: 1 per dwelling unit. The required parking space shall not occupy any of the required front yard. The required parking space for any row dwelling shall be provided in an attached garage.
 - (l) Minimum Number of Visitor Parking: 37
 - (m) Minimum Number of Barrier Free Parking: 9
 - (n) Maximum Garage and Driveway Width: 3.0 metres or 50% of the lot width, whichever is the lesser
 - (o) Garage Location: The front wall of a private garage, whether attached or detached from the main dwelling,

containing the opening for vehicular access shall be setback a minimum of 6.0 metres from the front lot line.

- (p) Projections Into Yards: Notwithstanding the provisions of Section 5.8 to the contrary, within a required front or exterior side yard, an encroachment of 1.5 metres for a porch or steps is permitted.
- (q) Maximum Number of Residential Units: 257
- (r) Minimum Common Amenity Space: 1,500 square metres
- (s) Accessory Buildings:
 - i) Lot Coverage: The total lot coverage of all accessory buildings on a lot shall not exceed 15 percent of the lot area.
 - ii) Location: Accessory buildings shall be located a minimum of:
 - 1) 0.6 metres from the interior side lot line;
 - 2) 3.0 metres from the exterior side lot line;
 - 3) 0.6 metres from the rear lot line.

Notwithstanding the provisions contained herein, an accessory building may share a common wall with another accessory building on an abutting lot and no setback from the interior side lot line is required on that side of the lot."

(By-Law Numbers 8499; 97-16; 2007-42; 2013-142; 2018-97)

Section 13: General Provisions For Three To Six Family Dwelling Zone "B"

13.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in B zones:

13.2 The following uses only shall be permitted in B zones:

- (a) uses permissible on Zone A subject to the provisions for Zone A,
- (b) three to six family dwellings,
- (c) boarding houses and rooming houses,
- (d) lay, religious fraternity, or boarding houses uses exclusively for purposes of habitation, residential nursing care for the elderly, or for congregational meetings and supervised by a religious body, a fraternal organization or a public authority and operated on a non-profit basis.

(By-Law Numbers 8499 – 1975; 83-168 – 1983)

- (e) existing buildings used for residential purposes only and owned, rented or managed by members of the Science '44 Co-operative Incorporated or the Alma Mater Society,

(By-Law Number 8499 – 1975)

- (f) Community Homes, subject to the provisions of Section 5.32 of this by-law,

(By-Law Numbers 79-6 – 1979; 87-236 – 1987; 91-17 – 1990)

- (g) Senior Citizen apartments,

- (h) accessory buildings to any use permitted in B zones.

(By-Law Number 8499 – 1975; 79-6 – 1979)

- (i) Residential Care Facilities, subject to the provisions of Section 5.34 of this by-law.

- (j) Community Support Home, subject to the provisions of Section 5.37 of this by-law.

(By-Law Number 91-17 – 1990)

- 13.3 The following regulations shall apply to lands, buildings, or structures erected in B zones, save as provided in Section 13.2 (a) of this by-law, provided however that any public or semi-public building, even though a permitted use within the A zone shall, when located in a B zone, conform to the B zone provisions.

(By-Law Number 8499 – 1975)

- (a) Maximum Height: 12.0m
- (b) Minimum Front Yard: 6.0m

(except where the nearest previously erected one to two family dwelling fronting on the same street and located within 30.0m of a building to be erected, structurally altered, enlarged or maintained has a front yard, excluding uncovered steps and eaves, of greater than 6.0m, in which case the minimum front yard shall be 1.5m greater than that of the previously erected building.)

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (c) Minimum Side Yard (for buildings other than public or semi-public buildings): $\frac{2}{5}$ the height of the main building
 - i. The minimum aggregate side yard width shall be a measurement equal to the height of the main building. The width of any lot adjoining a lane or a right-of-way over which the owner of the said lot has legal access shall, for the purpose of this sub-section of this by-law only, be assumed to include one-half of the width of the said lane or right-of-way.
 - ii. Minimum side yard width for a public or semi-public building; where a public or semi-public building is permitted in Zone B side yards shall be provided on each side, other than on a side facing a street, and each side yard shall have a width that is not less than one-half of the height of the building.

- (d) Minimum Rear Yard

The minimum rear yard requirement for any building permitted in the B Zone shall not at any point throughout its length be less than the greater of either of:

- (1) the height of the rear wall of the main building, or

(By-Law Number 8499 – 1975)

- (2) 25 per cent of the lot depth: provided however, that the depth of the rear yard need not exceed 7.5m.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(e) Corner Lots

Corner lots shall be subject to front yard regulations on the two streets on which they abut.

(f) Courts

The least horizontal dimension of any court shall not be less than the height of such court.

(g) Maximum Percentage of Lot Coverage

- i. The maximum percentage of lot coverage by any building shall be 33 1/3 per cent of the total lot area.
- ii. In computing the percentage of lot coverage for any building on a lot which has a lane, or right-of-way over which the owner of the said lot has legal access extending along the side or along the rear thereof, one-half of the area of that portion of such lane or right-of-way which is adjacent to and bordering in such lot, not exceeding in any case ten per cent of the area of the lot proper, may be deemed to be a portion of that lot.

(By-Law Number 8499 – 1975)

(h) Maximum Density: 69 dwelling units per net ha.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(i) Amenity Areas

As per Section 5.27 of this by-law.

(j) Parking

As per Section 5.3 of this by-law.

(k) Loading Areas

As per Section 5.4 of this by-law.

- (l) Accessory Buildings

As per Section 5.17 of this by-law

- (m) **Minimum Percentage of Landscaped Open Space**

30 per cent of the total lot area

(By-Law 8499; 2017-168)

Section 14: General Provisions for Multiple Family Dwelling Zone "B1"

14.1 subject to compliance with the provisions of Section 5, the following provisions shall apply in B1 zones:

14.2 The following uses only shall be permitted in B1 zones:

- (a) two-family dwellings,
- (b) multiple family dwellings,
- (c) bachelor apartments,
- (d) group dwellings, row dwellings,
- (e) public or private day schools,
- (f) churches, church halls,
- (g) libraries, art galleries and museums,
- (h) community halls,
- (i) institutions or homes, operated or supervised by a Children's Aid Society for the temporary care of children,

(By-Law Number 8499 – 1975)

- (j) Community Homes, subject to the provisions of Section 5.32 of this by-law.

(By-Law Numbers 79-6 – 1979; 87-236 – 1987; 91-17 – 1990)

- (k) accessory buildings to any use permitted in B1 zones.

(By-Law Number 8499 – 1975; 79-6 – 1979)

- (l) Senior Citizen Apartments

(By-Law Number 83-168 – 1983)

- (m) Residential Care Facilities, subject to the provisions of Section 5.34 of this by-law.

(By-Law Number 91-17 - 1990)

14.3 The following regulations shall apply to lands, buildings or structures erected in B1 zones:

(By-Law Number 8499 – 1975)

- (a) Minimum Front Yard: 7.5m

- (b) Minimum Side Yard

One storey dwelling (each side): 1.8m

All other dwellings (each side): 3.0m

First 2 storeys: 3.0m

Each additional storey: 1.2m

Non-residential buildings shall have a side yard on each side, other than a street, not less than one-half of the height of the building. Buildings on corner lots shall have a minimum side yard abutting a street of 7.5m.

- (c) Minimum Rear Yard

7.5m for any building up to 5 storeys or 15.0m in height, and for each additional storey, 1.2m additional rear yard.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (d) Maximum Density

Two Family Dwelling: 30 du/ha

Three Family Dwelling: 35 du/ha

Four Family Dwelling: 43 du/ha

Five Family Dwelling: 55 du/ha

Six or More Family Dwelling: 69 du/ha

(By-Law Number 87-61 – 1987)

(e) Minimum Lot Width: 18.0m

(f) Minimum Floor Area (per dwelling unit and in accordance with the following table):

0 BR.....28.0m²

1 BR.....42.0m²

2 BR.....56.0m²

3 BR.....70.0m²

4 BR.....79.0m²

For each additional bedroom9.0m²

Senior Citizen apartments

(one bedroom)42.0m²

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(g) Bachelor Dwelling Units

Within a multiple family dwelling, not more than one bachelor apartment shall be permitted for every four family dwelling units.

(By-Law Number 8499 – 1975)

(h) Repealed by By-Law Number 87-61 - 1987

(i) Off-Street Parking

As per Section 5.3 of this by-law.

- (j) Off-Street Loading

As per Section 5.4 of this by-law.

- (k) Accessory Buildings

As per Section 5.17 of this by-law.

- (l) Amenity Areas

As per Section 5.27 of this by-law

(By-Law 8499; 2017-168)

- (m) **Minimum Percentage of Landscaped Open Space**

30 per cent of the total lot area

(By-Law 8499; 2017-168)

Section 15: General Provisions for Multiple Family Dwelling (Unified Ownership) Zone "B2"

15.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in B2 zones:

15.2 The following uses only shall be permitted in B2 zones:

- (a) two-family dwellings,
- (b) Multiple family, group and row dwellings provided that the land for such development is held by single or unified ownership. Such land shall be deemed to be one lot, and no sale of portions of land shall be permitted unless the land is described in accordance with and is within a registered plan of subdivision,
- (c) churches and church halls,
- (d) libraries, art galleries and museums,

(By-Law Number 8499 – 1975)

- (e) Community Homes, subject to the provisions of Section 5.32 of this by-law,

(By-Law Numbers 79-6 – 1979; 87-236 – 1987; 91-17 – 1991)

- (f) community halls,
- (g) public or private day schools,
- (h) accessory buildings to any use permitted in the B2 zone.

(By-Law Numbers 8499 – 1975; 79-6 – 1979)

- (i) Senior Citizen Apartments

(By-Law Number 83-168 – 1983)

- (j) Residential Care Facilities, subject to the provisions of Section 5.34 of this By-Law.

(By-Law Number 91-17 – 1990)

15.3 The following regulations shall apply to lands, buildings or structures erected in B2 zones:

(By-Law Number 8499 – 1975)

- (a) Maximum Height: 9.0m
- (b) Maximum Number of Storeys: 3
- (c) Minimum Front Yard: 7.5m
- (d) Minimum Side Yard: 3.6m

However where adjacent to a street, the minimum side yard shall be 7.5m.

- (e) Minimum Rear Yard: 12.0m
 - i. In Computing the depth of a rear yard where such yard abuts a court, side yard, private park or playground or any similar open space forming an integral part of a group or row housing development, such open space may be considered as part of the required rear yard provided that the rear yard is not reduced to less than 6.0m.

- ii. Notwithstanding the 12.0m minimum rear yard requirement set forth above, minimum rear yards may be reduced to 7.5m if parking is provided elsewhere in the project.

(f) Distance Between Buildings

No building containing dwelling units will be nearer to any other such building than 4.5m but a minimum distance of 15.0m shall be maintained between rear faces of opposite housing locks and / or apartment buildings.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(g) Maximum Percentage of Lot Occupancy: 35%

Lot occupancy may be calculated on a gross basis, for example the required lot occupancy may be the total lot occupancy permitted for the total number of dwelling units within the area being developed as a multiple family, group, or any similar open space forming an integral part of the scheme but not including public streets.

(h) Repealed by By-Law Number 87-61 – 1987

(i) Minimum Floor Area (per dwelling unit and in accordance with the following table):

0 BR.....	28.0m ²
1 BR.....	42.0m ²
2 BR.....	56.0m ²
3 BR.....	70.0m ²
4 BR.....	79.0m ²
For each additional bedroom	9.0m ²

(j) Maximum Density: 69 dwelling units per net ha

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(k) Maximum Number of Dwelling Units per Building: 12

(l) Amenity Areas

As per Section 5.27 of this by-law.

(By-Law 8499; 2017-168)

(m) Off-Street Parking

As per Section 5.3 of this by-law.

(n) Off-Street Loading

As per Section 5.4 of this by-law.

(o) Accessory Buildings

As per Section 5.17 of this by-law

(p) **Minimum Percentage of Landscaped Open Space**

30 per cent of the total lot area

(By-Law 8499; 2017-168)

Section 16: General Provisions for Multiple Family Dwelling Zone "B3"

16.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in B3 zones:

16.2 The following uses only shall be permitted in B3 zones:

(a) multiple family dwellings,

(b) accessory buildings to any use permitted in B3 zone,

(c) Community Homes, subject to the provisions of Section 5.32 of this by-law,

(By-Law Numbers 8499 – 1975; 79-6 – 1979; 87-236 – 1987; 91-17 – 1990)

(d) Senior Citizen Apartments

(By-Law Number 83-168 – 1983)

(e) Residential Care Facilities, subject to the provisions of Section 5.34 of this By-Law.

(By-Law Number 91-17 – 1990)

16.3 The following regulations shall apply to lands, buildings or structures erected in B3 zones:

- (a) Minimum Front Yard. 7.5m
- (b) Minimum Side Yard $\frac{1}{2}$ the height of the main building

The minimum aggregate side yard width shall be a measurement equal to $1\frac{1}{2}$ times the height of the building.

- i. Notwithstanding the provisions of 16.3(b) herein any side yard abutting any part of a lot occupied by a one-family dwelling or a two-family dwelling shall be of a width equal to the height of the building.
- ii. Such side yards shall be fenced with a masonry wall not less than 1.4m in height, such fence is to be erected 0.2m from the lot line and extending from the line of setback to the rear lot line.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (c) Minimum Rear Yard

No rear yard shall at any point throughout its length be of a lesser measurement than the height of the building.

- (d) Line of Corner Lots

Buildings on corner lots shall have a minimum side yard abutting a street of 7.5m.

- (e) Maximum Percentage Of Lot Occupancy: 100 per cent

(By-Law Number 8499 – 1975)

- (f) Maximum Density: 123 dwelling units per net ha.

- (g) Parking

As per Section 5.3 of this by-law.

- (h) Loading

As per Section 5.4 of this by-law.

(i) Accessory Buildings

As per Section 5.17 of this by-law.

(j) Amenity Areas

As per Section 5.27 of this by-law

(By-Law 8499; 2017-168)

(k) **Minimum Percentage of Landscaped Open Space**

30 per cent of the total lot area

(By-Law 8499; 2017-168)

Part III – Special Education and Medical Zones

Section 17: General Provisions for the Special Education and Medical Uses Zone "E"

17.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in E zones:

17.2 The following uses only shall be permitted in E zones:

- (a) universities and colleges,
- (b) hospitals as defined by the *Public Hospitals Act*, R.S.O. (1970) Chapter 378,
- (c) public or private parking structures of lots erected or developed in conjunction with the uses of the Queen's and Kingston Health Sciences complex,

(By-Law Number 8499 – 1975)

- (d) Community Homes, subject to the provisions of Section 5.32 of this by-law,

(By-Law Numbers 79-6 – 1979; 87-236 – 1983; 91-17 – 1991)

- (e) one-family dwellings and two-family dwellings, subject to the provisions of the A zone,
- (f) Buildings used for residential purposes only and owned, rented or managed by members of the Science '44 Co-operative Incorporated or the Alma Matter Society subject to the provisions of the B zone,
- (g) boarding houses and rooming houses,
- (h) churches and church halls,
- (i) accessory buildings subject to the provisions of the zone regulating the main building as set forth herein.

(By-Law Numbers 8499 – 1975; 9229 – 1978; 79-6 – 1979)

- (j) Crisis Care Shelters, subject to the provisions of Section 5.33 of this By-Law.

- (k) Residential Care Facilities, subject to the provisions of Section 5.34 of this By-Law.
- (l) Recovery Homes, subject to the provisions of Section 5.36 of this By-Law.
- (m) Community Support House, subject to the provisions of Section 5.37 of this By-Law.
- (n) Detoxification Centre, subject to the provisions of Section 5.38 of this By-Law.

(By-Law Numbers 8499 – 1975; 91-17 – 1990)

- (o) Day Care Centre.

(By-law Numbers 8499 – 1975; 2008-166)

17.3 The following regulations shall apply to lands, buildings or structures erected in E zones:

- (a) Minimum Front, Side and Rear Yards:

- i. For all buildings located within the E zone adjacent to the following:

- (1) Collingwood Street, between Queen's Crescent and Union Street,
 - (2) Union Street, between Collingwood Street and Alfred Street,
 - (3) Alfred Street, between Union Street and Johnson Street,
 - (4) Johnson Street, between Alfred Street and Barrie Street,
 - (5) Barrie Street, between Johnson Street and Clergy Street.

The minimum Front, Side and Rear Yard requirements shall be equal to one and one-half times the height of the main building.

(By-Law Number 8499 – 1975)

- ii. For all buildings located within the E zone adjacent to the following:

- (1) Barrie Street, between Clergy and King Street,
 - (2) King Street, between Barrie and Collingwood Street,

- (3) Collingwood Street, between King Street and Queen's Crescent,

The minimum Front, Side and Rear Yard requirements shall be 7.5m.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (b) Minimum Side Yard Width

All buildings except those adjacent to a street mentioned in Section 17.3(a) of this by-law: $\frac{1}{2}$ the height of the building.

(By-Law Number 8499 – 1975)

- (c) Minimum Rear Yard

All buildings except those adjacent to a street or lot line mentioned in Section 17.3(a) of this by-law: 7.5m or 25 per cent of the depth of the lot, whichever is the lesser figure.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (d) All buildings on corner lots shall be set back from the street line as to maintain the sight triangle which means the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 9 metres from the point of intersection of the street lines (measured along the street lines). Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

Within any area defined as sight triangle, the following uses shall be prohibited:

- (a) a building, structure or use which would obstruct the vision of drivers or motor vehicles which extends to a height of 4.15 metres;
- (b) a fence, tree, hedge, bush, or other vegetation, the top of which exceeds 1 metre in height above the elevation of the street line;

- (c) a finished grade which exceeds the elevation of the street line by more than 0.5 metres.

(By-Law Numbers 8499; 2007-161)

- (e) Courts

The least horizontal dimension of any court shall be not less than the height of such court.

(By-Law Number 8499 – 1975)

- (f) Density

The maximum density of the E zones of land owned by a higher educational or medical institution and occupied by students' housing shall not exceed 519 habitation units per net ha.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (g) Off-Street Parking

As per Section 5.3 of this by-law except that there shall be no off-street parking requirements for the permitted uses listed in Section 17.2(a), (b) and (c) of this by-law if located within the E zone.

- (h) Loading Areas

As per Section 5.4 of this by-law.

Section 18: General Provisions for the Special Education and Medical Uses Zone "E1"

18.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in E1 zones:

18.2 The following uses only shall be permitted in E1 zones:

- (a) universities and colleges,
- (b) accessory buildings to any use permitted in E1 zones.

(By-Law Number 8499 – 1975)

18.3 The following regulations shall apply to lands, buildings or structures erected in E1 zones:

- (a) Height: 23.0m
- (b) Minimum Side Yards (total both sides): 61.0m
- (c) Minimum Front Yard: 9.0m
- (d) Minimum Rear Yard: 15.0m
- (e) Minimum Lot Width: 91.0m
- (f) Minimum Lot Area: 0.8 ha

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (g) Off-Street Parking

As per Section 5.3 of this by-law.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (h) Loading Areas

As per Section 5.4 of this by-law.

(By-Law Number 8499 – 1975)

- (i) Density

The maximum density for land in the E1 zone owned by a higher educational or medical institution and occupied by students' housing shall not exceed 519 habitation units per net ha.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

Section 19: General Provision for the Special Education and Medical Uses Zone "E2"

19.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in E2 zones:

19.2 The following uses only shall be permitted in E2 zones:

- (a) hospitals as defined by the *Public Hospitals Act*, R.S.O. (1970) Chapter 378,
- (b) penitentiaries,
- (c) the National Defence College and the Canadian Land Forces Command and Staff College (Fort Frontenac) subject to the regulations of Zone C,
- (d) convents,
- (e) the Frontenac County Board of Education Administration offices,
- (f) the Kingston, Frontenac, Lennox and Addington County Health Unit,
- (g) the Canadian Penitentiary Service Staff College,
- (h) accessory buildings to any use permitted in the E2 zones.

(By-Law Number 8499 – 1975)

- (i) Residential Care Facilities, subject to the provisions of Section 5.34 of this by-law.
- (j) Corrections Residences, subject to the provisions of Section 5.35 of this by-law.
- (k) Recovery Homes, subject to the provisions of Section 5.36 of this by-law.
- (l) Detoxification Centre, subject to the provisions of Section 5.38 of this by-law.

(By-Law Number 91-17 – 1990)

19.3 The following regulations shall apply to lands, buildings or structures erected in E2 zones:

- (a) Height: 23.0m
- (b) Minimum Side Yard Width
 - (i) a side yard shall be provided on either side of the main building;

- (ii) the minimum aggregate side yard width shall be no less than 61.0m;
- (iii) each side yard shall not, at any point in its length, be a lesser width than 23.0m."

(By-Law Numbers 8499 – 1975; 2003-279 – 2003)

- (c) Minimum Front Yard: 9.0m
- (d) Minimum Rear Yard: 15.0m
- (e) Minimum Lot Width: 91.0m
- (f) Minimum Lot Area: 0.8 ha

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (g) Off-Street Parking

As per Section 5.3 of this by-law.

- (h) Loading Areas

As per Section 5.4 of this by-law.

(By-Law Number 8499 – 1975)

- (i) Density

The maximum density for land in the E2 zone owned by a higher educational or medical institution and occupied by students' housing shall not exceed 519 habitation units per net ha.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

Part IV – Commercial Zones

Section 20: General Provisions for the Commercial Uses Zone "C" (Central Business District and Upper Princess Street)

20.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in C zones:

20.2 The following uses only shall be permitted in C zones:

- (a) libraries, art galleries and museums subject to the provisions for zone A,
- (b) churches, community halls and parish halls subject to the provisions for zone B,
- (c) community centres subject to the provisions for zone B,
- (d) sanatoriums, or institutions for philanthropic or charitable uses, other than correctional uses, and other than for the treatment of inebriates or persons suffering from insanity or other mental disease, infectious disease, or contagious disease, subject to the provisions for zone B,
- (e) lay or religious fraternity houses or boarding houses where occupied by students, used exclusively for the purposes of habitation or congregational meetings and supervised by the authorities of a public educational institution, subject to the provisions of zone B,
- (f) fraternal organizations or similar institutions of public character subject to the provisions of zone B,
- (g) hospitals as defined by the *Public Hospitals Act*, R.S.O. (1970) Chapter 378,
- (h) boarding houses and rooming houses subject to the provisions of zone B,
- (i) multiple family dwellings containing three or four dwelling units subject to the provisions of zone B,
- (j) multiple family dwellings containing five or more dwelling units,
- (k) retail stores or shops,
- (l) undertakers' establishments,
- (m) offices for or in connection with businesses or professions,

- (n) automobile service stations,
- (o) banks,
- (p) hotels,
- (q) offices for printing and publishing,
- (r) sales rooms or yards for motor vehicles including automotive servicing facilities,
- (s) restaurants,
- (t) senior citizen apartments,
- (u) theatres,
- (v) bowling alleys, pool and billiard halls,
- (x) automotive repair shops that install and service previously manufactured parts,
- (y) marinas,

(By-Law Number 8499 – 1975)

- (z) Parking Lots as defined in Section 4.59 of this by-law and subject to the following regulations:
 - i. Before a building permit is issued for any Off-Street Parking Lot, a site plan accurately drawn to scale shall be submitted to the Chief Building Official or designate; such site plan shall show the following:
 - (1) all existing and proposed off-street parking spaces;
 - (2) all proposed entrances and exits to the adjoining street or streets.
 - ii. The surface of the Off-Street Parking Lot shall be paved or properly levelled, drained and treated to prevent the escape of dust.
 - iii. Any lights used to illuminate the Off-Street Parking Lot shall be arranged to deflect light downward and away from adjacent premises.

- iv. No parking shall be permitted in the front yard of any building.

(By-Law Numbers 8499 – 1975; 83-110 – 1983)

- v. No parking shall be permitted less than 1.5m from any adjacent residential premises.

- vi. Where an Off-Street Parking Lot is adjacent to residential premises it shall be screened by a wall, fence or hedge not less than 1.4m high.

- vii. A fence or barrier not less than 0.5m high shall be placed across the front of the Off-Street Parking Lot except at entrances and exits and shall be placed at a distance of not more than 1.0m from the street line.

- viii. No commercial business involving the repair of or service to vehicles shall be permitted thereon, nor the sale or display thereof shall be conducted from or upon such premises.

- (aa) Accessory buildings subject to the provisions of the zone regulating the main building as set forth herein.

(By-Law Number 8499 – 1975)

- (bb) Shopping centres.

(By-Law Number 9209 – 1978)

- (cc) Laundries and dry cleaners (provided that the cleaning operation takes place upon the same premises as an associated pick-up and delivery agency).

- (dd) Bakeries (provided that the food products prepared on the premises are retailed directly from the same premises).

(By-Law Number 9207 – 1978)

- (ee) Community Homes, subject to the provisions of Section 5.32 of this by-law,

(By-Law Numbers 79-6 – 1979; 87-236 – 1987; 91-17 – 1990)

- (ff) Notwithstanding Section 20.2(d) above, Hotel Dieu Hospital shall be permitted to establish a detoxification centre on Brock Street, between

Clergy Street East and Bagot Street, or in the block bounded by Wellington Street, Clarence Street, Bagot Street and Johnson Street, as shown on the map marked as Schedule "L", attached to and forming part of this by-law.

(By-Law Number 82-45 – 1982)

(gg) Places of amusement, subject to the provisions of Section 20.3 (k).

(By-Law Number 82-197 – 1982)

(hh) Crisis Care Shelters, subject to the provisions of Section 5.33 of this By-Law.

(ii) Residential Care Facilities, subject to the provisions of Section 5.34 of this By-Law.

(jj) Recovery Homes, subject to the provisions of Section 5.36 of this By-Law.

(kk) Community Support House, subject to the provisions of Section 5.37 of this By-Law.

(By-Law Number 91-17 – 1990)

(ll) Day Care Centre subject to the provisions of Section 5.3A(b)(ii).

(By-Law Number 2005-208 – 2005)

20.3 The following regulations shall apply to lands, building or structures erected in C zones:

(a) Height

i. Subject to Section 20.3(a) ii., the height of any building shall not exceed twice the horizontal distance from the centre of the street upon which the building fronts to the face of the wall of the building fronting upon such street.

ii. The upper part of a building may be erected or altered to a height in excess of that determined by the immediately preceding regulation, provided that such excess height shall be within the angle contained between a horizontal plane at the street curb level and a line extending from the junction of such plane with the centre of the street upon which the building fronts and intersecting the prescribed

line of minimum setback at a height equal to the total width of the street.

(By-Law Number 8499 – 1975)

(b) Minimum Front Yard, Side Yard And Rear Yard And Maximum Percentage Of Lot Coverage

- i. Subject to Sections 20.3(b)i.(1) and (2) for multiple family dwellings and senior citizen apartments, the minimum front yard shall be 4.5m except that:

(By-Law Numbers 8499 – 1975; 8725 – 1976; 79-174 – 1979)

(1) Where an immediately adjacent building has been built with a front yard of less than 4.5m, new buildings may conform with the front yard thus established, or

(2) Where an immediately adjacent building has been built with a front yard of more than 4.5m, new buildings must conform with the front yard thus established.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- ii. For multiple family dwellings and senior citizen apartments a rear yard shall be provided having a depth such that the distance from the rear lot line to any wall of the main building that is nearest to such line will not be less than one-half of the height of such rear wall, provided that in no case shall such distance be less than 6.0m.

(By-Law Numbers 8499 – 1975 8725 – 1976; 79-174 – 1979)

- iii. Subject to Section 20.3(b) iii.(1) for multiple family dwellings and senior citizen apartments a side yard shall be provided on each side of the main building, the minimum width of which shall be 2.4m for a two-storey building. This width shall be increased by 0.6m for each storey in height above the second storey, but in no instance need it exceed 4.5m, except that when the length of any side yard is in excess of 15.0m, the required width shall be increased by at least 2.5cm for every 0.3m by which such length exceeds 15.0m.

(By-Law Numbers 8499 – 1975; 8725 – 1976; 79-174 – 1979)

- (1) In computing the width of a side yard of any building on a lot which has a lane at the side, one-half of the width of such lane adjacent and opposite to such side yard may be deemed to be a portion of that lot.

(By-Law Number 8499 – 1975)

- iv. Subject to Section 20.3(b)iv.(1) for multiple family dwellings and senior citizen apartments, the maximum percentage of lot coverage shall be sixty per cent on interior lots and seventy-five per cent on corner lots.

(By-Law Numbers 8499 – 1975; 8725 – 1976)

- (1) In computing the maximum percentage of lot coverage for any building on a lot which has a lane, or right-of-way over which the owner of the said lot has legal access, extending along the side or along the rear thereof, one-half of the area of that portion of such lane or right-of-way which is adjacent to and bordering on such lot, not exceeding in any case ten per cent of the area of the lot proper, may be deemed to be a portion of that lot.

- v. The maximum lot coverage for all other permitted uses shall be 100 per cent except where buildings previously erected have established a front yard, the building to be erected shall have a front yard of a similar depth.

(By-Law Number 8499 – 1975)

- vi. Notwithstanding the provisions of Section 20.3(b)v. for all permitted uses other than multiple family dwellings and senior citizen apartments on the north side of Princess from Concession Street to Nelson Street, the minimum front yard shall be 2.1m.

- vii. Notwithstanding any of the provisions contained in this by-law, within the C zone west of Division Street, no building will be located closer to the street line of a street which intersects Princess Street than a distance of 10.0m from the centre line of the street allowance of such an intersecting street, with the exception of Chatham and Tower Streets.

(By-Law Numbers 8499 – 1975; 8725 – 1976; 79-174 – 1979)

(c) Inner Courts

- i. For multiple family dwellings and senior citizen apartments the least horizontal dimension of any inner court shall not be less than the height of such court.

(By-Law Numbers 8499 – 1975; 8725 – 1976)

- ii. For all other uses the least horizontal dimension of any inner court shall not be less than one-half the height of such court.

(By-Law Number 8499 – 1975)

(d) Outer Courts

- i. For multiple family dwellings and senior citizen apartments the least horizontal dimension of any outer court shall not be less than the height of such court.

(By-Law Numbers 8499 – 1975; 8725 – 1976)

- ii. For all other uses the width of any outer court shall not be less than one-third of the height of such court, provided that it need not exceed the length; nor shall the length of the side walls forming such court be more than the height of such walls.

(By-Law Number 8499 – 1975)

(e) Air Wells

The cross-sectional area of any air well shall not be less than 9.0m². When air well is in excess of two storeys in height, this area shall be increased throughout by ten per cent for each storey above second. Any air well shall be ventilated at its lowest level by a free air inlet and at its extreme height be a free air outlet, each of which shall have a minimum free cross-sectional area equivalent to ten per cent of the minimum cross-sectional area of the well, and shall be installed in such a manner as to ensure a free and continuous current of air.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(f) Parking

As per Section 5.3 of this by-law.

(g) Loading Areas

As per Section 5.4 of this by-law

(By-Law Number 8499 – 1975)

(h) Maximum Density: 123 dwelling units per net ha

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(i) Amenity Areas

As per Section 5.27 of this by-law.

(By-Law Number 8499 – 1975; 2017-168)

(j) Repealed and superseded by Section 7.2.4 of By-Law Number 96-259.

(By-Law Numbers 8868 – 1976; 87-62 – 1987; 96-259 – 1996)

(k) Places of Amusement

The following regulations shall apply to lands, buildings or structures which are occupied by a Place of Amusement as defined in this by-law:

- i. No place of amusement shall be located closer to any school property than 300.0 m.

(By-Law Number 82-197 – 1982)

Section 20A: General Provisions for the Commercial Uses Zone "SC" (Special Commercial – Market Square Heritage Conservation District)

20A.1 Repealed and superseded by Section 8, Market Square Commercial (CMS) Zone of By-Law Number 96-259.

(By-Law Numbers 84-174 – 1985; 96-259 – 1996)

20A.2 Repealed and superseded by Section 8, Market Square Commercial (CMS) Zone of By-Law 96-259.

(By-Law Numbers 91-17 – 1990; 96-159 – 1996)

20A.3 Repealed and superseded by Section 8, Market Square Commercial (CMS) Zone of By-Law 96-259.

(By-Law Numbers 84-174 – 1985; 96-259 – 1996)

Section 21: General Provisions of the Neighbourhood Commercial Zone "C1"

21.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in C1 zones:

21.2 The following uses only shall be permitted in C1 zones:

(By-Law Number 8499 – 1975)

- (a) retail stores,
- (b) Deleted by By-Law Number 9233 – 1978,
- (c) neighbourhood stores,
- (d) offices for or in connection with a business or profession,
- (e) banks or financial institutions,
- (f) restaurants,
- (g) one-family dwellings, two-family dwellings, provided that such dwellings are located within a commercial structure,
- (h) libraries, art galleries or museums,
- (i) accessory buildings to any use permitted in C1 zones,
- (j) shopping centres,
- (k) day care centres.

(By-Law Numbers 8499 – 1975; 2007-161)

(By-Law Number 9206 – 1978)

21.3 The following regulations shall apply to lands, buildings or structures erected in C1 zones:

(By-Law Number 8499 – 1975)

- (a) Maximum Height: 12.0m
- (b) Minimum Rear Yard: 7.5m

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(c) Maximum Percentage of Lot Coverage: 50 per cent of the total lot area.

(d) Courts

The least permissible horizontal dimension of any court shall not be less than the height of such court.

(e) Accessory Buildings

As per Section 5.17 of this by-law.

(f) Parking

As per Section 5.3 of this by-law.

Section 22: General Provisions for the Arterial Commercial Zone "C2"

22.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in C2 zones:

22.2 The following uses only shall be permitted in C2 zones:

(a) retail stores (including retail stores selling general services), lunch counters, restaurants,

(b) banks,

(c) bowling alleys, theatres, auditoriums,

(d) automobile service stations and motor sales rooms if no machining or body work or painting is carried on,

(e) drive-in restaurants,

(f) motels,

(g) electrical repair services, including radio and television repair services,

(h) accessory buildings to any use permitted in C2 zones,

(By-Law Number 8499 – 1975)

(i) offices with a maximum size of 605.0m² per building,

(By-Law Numbers 8725 – 1976; 79-174 – 1979)

(j) shopping centres,

(By-Law Number 9206 – 1978)

(k) Places of Amusement, subject to the provisions of Section 22.3 (j).

(By-Law Number 82-197 – 1982)

(l) day care centres

(By-law Numbers 8499; 2007-161)

22.3 The following regulations shall apply to lands, buildings or structures erected in C2 zones:

(By-Law Number 8499 – 1975)

(a) Maximum Height: 13.7m

(b) Minimum Front Yard: 15.0m

(c) Minimum Side Yard

Wherever a C2 Zone abuts upon an open space or Residential Zone, or a street, a side yard of not less than 9.0m wide shall be provided within the C2 Zone. Nothing other than a driveway shall be located in this side yard.

(By-Law Numbers 8499 – 1975; 85-309 – 1985)

Wherever a C2 Zone abuts upon a public walkway, a side yard of not less than 3.0m wide shall be provided within the C2 Zone.

(By-Law Number 87-103 – 1987)

(d) Minimum Rear Yard: 7.5m

(e) Maximum Lot Occupancy: 50 per cent of lot area within the C2 zone.

(f) Minimum Lot Depth: 45.0m

(g) Minimum Ground Floor Area

Main Building: 56.0m²

Accessory Building: No minimum area requirement.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(h) Off-Street Parking

As per Section 5.3 of this by-law.

(i) Off-Street Loading

As per Section 5.4 of this by-law.

(By-Law Number 8499 – 1975)

(j) The following regulations shall apply to lands, buildings or structures which are occupied by a Place of Amusement as defined in this by-law.

i. No place of amusement shall be located closer to any school property than 300.0m.

(By-Law Number 82-197 – 1982)

Section 23: General Provisions for the Shopping Centre Commercial Zone "C3"

23.1 Subject to compliance with provisions of section 5, the following provisions shall apply in C3 zones.

23.2 The following uses only shall be permitted in C3 zones:

(a) retail stores (including retail stores selling general services), lunch counters, restaurants,

(By-Law Number 8499 – 1975)

(b) shopping centres, department stores,

(By-Law Numbers 8499 – 1975; 9206 – 1978)

(c) offices in connection with a business or profession,

(d) banks,

(e) bowling alleys, theatres, auditoriums,

(f) automobile service stations if no machining, body or painting work is carried on and if there are no additional entrances and exits from the highway or street for such service stations other than those entrances and exits designed to serve the shopping centre,

(g) accessory buildings to any use permitted in C3 zones,

(By-Law Number 8499 – 1975)

(h) Places of Amusement, subject to the provisions of Section 23.3 (j).

(By-Law Number 82-197 – 1982)

(i) day care centres

(By-Law Numbers 8499; 2007-161)

23.3 The following regulations shall apply to lands, buildings or structures erected in C3 zones:

(By-Law Number 8499 – 1975)

(a) Maximum Height: 13.7m

(b) Minimum Front Yard

From Princess Street: 45.0m

From Bath Road: 38.0m

From Sir John A. Macdonald Boulevard: 38.0m

(c) Minimum Side Yard: 10.7m

(d) Minimum Rear Yard: 10.7m

(e) Maximum Lot Occupancy: 20 per cent of lot area

(f) Minimum Lot Depth: 45.0m

(g) Minimum Distance Between Separated Buildings: 15.0m

(h) Off-Street Parking shall be provided as set out in Section 5.3 of this by-law and not less than one parking space for every 14.0 square metres of gross leasable area.

(By-Law Numbers 8499 – 1975; 79-174 – 1979; 83-168 – 1983)

(i) Off-Street Loading

As per Section 5.4 of this by-law.

(By-Law Number 8499 – 1975)

(j) Places of Amusement

The following regulations shall apply to lands, building or structures which are occupied by a Place of Amusement as defined in this by-law:

- i. No place of amusement shall be located closer to any school property than 300.0m

(By-Law Number 82-197 – 1982)

23A. General Provisions of the Special Waterfront Commercial Zone 'SWC1'

23A.1 Repealed and superseded by Section 9.3.2 (Block "D" (HR-2) Zone and Section 9.3.3 (Block "D" (H)HR-3) Zone of By-Law Number 96-259.

23A.2 Repealed and superseded by Section 9.3.2 (Block "D" (HR-2) Zone and Section 9.3.3 (Block "D" (H)HR-3) Zone of By-Law Number 96-259.

23A.3 Repealed and superseded by Section 9.3.2 (Block "D" (HR-2) Zone and Section 9.3.3 (Block "D" (H)HR-3) Zone of By-Law Number 96-259.

(By-Law Numbers 88-152 – 1988; 96-259 – 1996)

23B. General Provisions for the Special Waterfront Commercial 2 Zone (H) "SWC2"

23B.1 Repealed and superseded by Section 9.3.2 (Block "D" (HR-2) Zone and Section 9.3.3 (Block "D" (H)HR-3) Zone of By-Law Number 96-259.

23B.2 Repealed and superseded by Section 9.3.2 (Block "D" (HR-2) Zone and Section 9.3.3 (Block "D" (H)HR-3) Zone of By-Law Number 96-259.

(By-Law Numbers 88-152 – 1988; 96-259 – 1996)

23C. General Provisions for the Williamsville Main Street Commercial Zone "C4"

23C.1 Subject to compliance with the provisions of Section 5, where applicable, the following provisions shall apply in the C4 Zone.

23C.2 Permitted Uses – The following uses only shall be permitted in the C4 Zone:

- (a) libraries, art galleries and museums;
- (b) churches, community halls, community centres and parish halls;
- (c) offices and ancillary uses associated with not-for-profit and social service agencies; offices for or in connection with businesses or professions; offices for printing and publishing; for clarity this includes co-working spaces;
- (d) artisans' workshops and creativity centres;
- (e) hospitals, clinics, pharmacies, and medical laboratories;
- (f) retail stores or shops, markets, and bakeries;
- (g) undertakers' establishments;
- (h) banks and credit unions;
- (i) hotels, bars and restaurants, including take-out restaurants;
- (j) multiple family dwellings; row dwellings; supportive housing and special needs housing, including community homes, crisis care shelters, residential care facilities, recovery homes, group homes, and community support houses; co-operative living spaces;
- (k) laundromat and dry cleaners;
- (l) theatres, bowling alleys, pool and billiard halls, places of amusement, and private clubs;
- (m) recreational uses, including fitness centres/clubs;
- (n) commercial schools;
- (o) day care centres;
- (p) personal service shops;
- (q) accessory buildings, subject to the provisions of Section 23C.4(n).

23C.3 Definitions – The following definitions shall apply to lands, buildings or structures in the C4 Zone:

- (a) **Amenity Area** means the area situated within the boundaries of any residential development site intended for recreational purposes, and may include landscaped open space, patios, private amenity areas, balconies, communal lounges, swimming pools, children's play areas, and similar uses, but does not include any area occupied at grade by a building's service areas, parking areas, parking aisles, or driveways.
- (b) **Balcony** means an unenclosed or partially enclosed platform that is attached to and only directly accessible from within a building. A balcony includes associated guards, fencing, walls, screening and other associated features.
- (c) **Building Frontage** means the building façade that fronts on a street line where access to the building is available.
- (d) **First Storey** means the storey with its floor level closest to finished grade and shall exclude any floor of a building that has a floor level located below finished grade.
- (e) **Lot Line** means a line delineating any legal boundary of a lot.
 - i. **Exterior Lot Line** means the lot line of a corner lot which abuts the street, other than a front lot line.
 - ii. **Front Lot Line** means, in the case of an interior lot, the lot line dividing the lot from the street. In the case of a corner lot, the lot line abutting Princess Street shall be deemed the front lot line and the lot line abutting the other street shall be deemed an exterior lot line. In the case of a corner lot that does not abut Princess Street, the shorter lot line shall be deemed the front lot line. In the case of a corner lot which is also a through lot, the front lot line shall be the lot line abutting Princess Street.
 - iii. **Interior Lot Line** means a lot line, other than a rear lot line that does not abut a street and is generally perpendicular to the front lot line.
 - iv. **Rear Lot Line** means the lot line(s) that is generally opposite to, and most distant from, the front lot line. In the case of a lot with frontage on Princess Street, all lot lines that separate the lot from a zone outside of the C4 zone or another commercial zone shall be considered a rear lot line.

- (f) **Podium** means the base component of any building that is greater than 20 metres in height (excluding mechanical penthouses) and shall only include the first through sixth storeys of such a building.
- (g) **Setback** means the horizontal distance from the lot line to the nearest part of any building or structure on a lot.
 - i. **Exterior Setback** means the setback between the exterior lot line and the nearest part of any building or structure on the lot permitted by this By-Law.
 - ii. **Front Setback** means the setback between the front lot line and the nearest part of any building or structure on the lot permitted by this By-Law. Where a corner lot includes a front lot line and exterior lot line that do not intersect at one point, the front setback shall be determined by measuring the hypothetical point of intersection of the extension of the front lot line and the extension of the exterior lot line.
 - iii. **Interior Setback** means the setback between the interior lot line and the nearest part of any building or structure on the lot permitted by this By-Law.
 - iv. **Rear Setback** means the setback between the rear lot line and the nearest part of any building or structure on the lot permitted by this By-Law.

- (h) **Stepback** means the horizontal distance from the exterior wall of a specified storey to the exterior wall of the storey immediately below it. The horizontal distance shall be measured in the direction that is opposite to the lot line, ensuring that the stepback moves towards the centre of the lot.
- (i) **Storey** means that portion of a building between the top of any floor and the top of the floor next above it, or between the top of the floor and the ceiling above the floor, if there is no floor above it. Mechanical penthouses, green roofs, rooftop amenity areas and other similar rooftop elements shall not be considered a storey.
- (j) **Streetwall** means the nearest wall or nearest portion of a wall of a building to a street line.
- (k) **Streetwall Height** means the vertical distance between the top of the streetwall and the finished grade immediately adjacent to the streetwall.
- (l) **Tower** means any portion of any building that is greater than 20 metres in height, excluding a podium, below grade parking structures and a mechanical penthouse.

23C.4 Regulations – The following regulations shall apply to lands, buildings, or structures in the C4 Zone:

- (a) Height:
 - i. All buildings / structures shall have a maximum height of the lesser of 20 metres or 6 storeys, except where shown on Schedule "O", where the maximum height shall be the lesser of 61.5 metres or 20 storeys.
 - ii. The minimum streetwall height for all buildings / structures shall be 10.5 metres.
 - iii. A minimum of 75 percent of a wall of the building which faces a street line shall be built to the required front setback for the height of the streetwall.
 - iv. Notwithstanding Section 5.14, the height of mechanical penthouses and other rooftop equipment and elements shall be permitted in accordance with the provisions of Sections 23C.4(g) and 23C.4(h).
 - v. Where a lot or building is located within two different height areas shown on Schedule "O", each portion of such lot or building shall comply with the height restrictions applicable to such portion of the lot or building.

- (b) Setbacks and Stepbacks:
- i. Setbacks and stepbacks are required in accordance with the following table:

Setbacks and Stepbacks	Minimum	Maximum
Front setback and exterior setback (along Princess Street, Division Street, Concession Street or Bath Road) – first storey	3.0 metres	5.0 metres
Front setback and exterior setback (along Princess Street, Division Street, Concession Street or Bath Road) – second, third and fourth storeys	2.0 metres	5.0 metres
Stepbacks where the building faces Princess Street, Division Street, Concession Street or Bath Road – fifth and six storeys	2.0 metres from the exterior wall of the fourth storey	Not applicable
Front setback and exterior setback (along all other streets) – first through fourth storeys	2.0 metres	5.0 metres
Stepbacks where the building faces all other streets – fifth and sixth storeys	2.0 metres from the exterior wall of the fourth storey	Not applicable
Interior setback (for a property fronting on Princess Street)	0.0 metres	Not applicable
Interior setback (for a property not fronting on Princess Street)	1.2 metres	Not applicable
Rear setback	8.0 metres	Not applicable

- (d) Maximum Lot Coverage: 70%
- (e) Projections into Required Setbacks:
- i. The following regulations apply to balconies that project out from the face of a building/structure:

1. Balconies are permitted above the fourth storey of a building façade that is facing a street line, to a maximum depth of 1.5 metres.
 2. Balconies are permitted above the second storey of a building façade adjacent to a lot line that is not a street line, to a maximum depth of 2.0 metres.
- (f) Ground Floor Conditions:
- i. Buildings fronting on Princess Street are required to have ground floor commercial uses on the first storey where any portion of the lot aligns with the area identified as "Required Ground Floor Commercial Along Princess Street Frontage" on Schedule "O" to this By-Law.
 - ii. Where ground floor commercial uses are required, the entire street frontage of the first storey, excluding areas devoted to a lobby or other shared entrances/exits for other permitted uses, shall be occupied by commercial uses. Portions of the floor area of the first storey that do not have frontage on a public street may be occupied by uses that service the building such as loading spaces, waste management facilities and rooms, mechanical rooms, bicycle parking facilities and other similar uses.
 - iii. The first storey of a building / structure shall have a minimum floor to floor height of 4.5 metres.
 - iv. The height of the first storey of a building / structure shall be measured from finished grade to the level of the floor immediately above it.
- (g) Mechanical Penthouses and Other Rooftop Mechanical Equipment:
- i. Notwithstanding Section 5.14, mechanical penthouses shall be permitted to exceed the maximum allowable building height by up to 3.5 metres.
 - ii. Mechanical penthouses shall not exceed 10 percent of the roof area on which they are located.
 - iii. Mechanical penthouses and other rooftop equipment shall be setback from the edge of the roof line a minimum distance equal to the height of the mechanical penthouse or other piece of rooftop mechanical equipment.
 - iv. Notwithstanding 23C.4(g)iii., enclosures dedicated only to stairs that are located at the end of a building shall be permitted within the required setback from the edge of a roof line.

- (h) Green Roofs and Other Rooftop Elements:
 - i. Architectural appurtenances to support green roofs, other rooftop sustainability elements, or rooftop amenity spaces shall be permitted to exceed the maximum allowable building height by up to 3.5 metres.
- (i) Tower Conditions:
 - i. Maximum Tower Floor Plate: Where a tower is permitted by Schedule "O" of this by-law, the maximum floor plate of the tower shall be 790 square metres. Tower floor plate shall include all areas enclosed within exterior walls, including hallways, elevators, stairs, mechanical shafts, etc.
 - ii. Tower separation: Where a tower is permitted by Schedule "O" of this by-law, it shall be separated from any other tower by a minimum distance of 25 metres and shall be located no closer than 12.5 metres from an adjacent property.
 - iii. Stepback: Where a tower is permitted by Schedule "O" of this by-law, it shall be setback from the podium by a minimum distance of 2.0 metres.
 - iv. Notwithstanding 23C.4(h)(ii), where an adjacent property has already been developed with a tower, the tower is permitted to be located closer than 12.5 metres to the lot line shared with that adjacent property so long as the 25 metre tower separation distance is maintained.
- (j) Parking Spaces
 - i. Parking provisions shall be as set out in Section 5.3 of this by-law, with the exception of the following provisions:
 - 1. Parking spaces shall not be permitted in a yard abutting a street line.
 - 2. Minimum number of residential parking spaces: 0.4 per dwelling unit.
 - 3. Maximum number of residential parking spaces: 1.0 per dwelling unit.
 - ii. Section 23C.4(j)(i)(2) shall not be construed to prohibit a reduction in the minimum number of parking spaces required if such reduction is authorized through a minor variance or rezoning in accordance with the Planning Act.

(k) Maximum Residential Density

- i. The maximum residential density shall be 210 dwelling units per net hectare, except where a tower is permitted by 23C.4(i), the maximum residential density of the tower and its podium shall be 480 dwelling units per net hectare.
- ii. The maximum residential density provisions in subsection (i) do not apply to those properties identified as 429 and 445 Princess Street, which shall be subject to a “-H” Holding Symbol in accordance with Section 23.C.5.

(as amended by LPAT File Number PL210077)

(l) Loading Spaces

- i. Loading space provisions shall be as set out in Section 5.4 of this by-law, with the exception of the following provisions:
 - 1. Loading spaces shall not be permitted in a yard abutting a street line.
 - 2. A minimum number of loading spaces shall be provided in accordance with the following table:

Land Use	Commercial Gross Floor Area / Residential Dwelling Units	Number of Required Loading Spaces
Commercial Uses	0-300 square metres	0
	Greater than 300 square metres to 2,500 square metres	1
	Greater than 2,500 square metres to 7,500 square metres	2
	Greater than 7,500 square metres	2 plus 1 for each additional 9,300 square metres beyond 7,500 square metres
Residential Uses	0-50 dwelling units	0
	51-399 dwelling units	1
	Greater than 400 dwelling units	2

(m) Amenity Area:

- i. The amenity area provisions of Section 5.27 of this by-law apply.

- ii. Notwithstanding Section 5.27(a), a minimum of 10 square metres of amenity area shall be provided for each dwelling unit on a lot.
- (n) Accessory Buildings:
- i. Maximum Height: 4.6 metres
 - ii. Maximum Lot Coverage: 10% of lot area
 - iii. Location: Detached accessory buildings shall be located:
 - 1. In an interior side yard or rear yard;
 - 2. A minimum of 1.2 metres from a lot line;
 - 3. Not closer to the street than the front of the main building;
and,
 - 4. Not closer to the street than the side of the main building on a corner lot.
- (o) Transition Clause:
- i. Nothing in this By-Law shall prevent the development or use of a lot or one or more buildings or structures for which a complete application for a building permit was received by the City on or before (December 1, 2020), if the development or use complies, or the building permit application is amended to comply, with the applicable former provisions of Zoning By-Law Number 8499 as it was read immediately prior to the passing of this By-Law.
 - ii. Where a complete application was received by the City on or before the date of passing of this By-Law for the development or use of a lot or one or more buildings or structures, approval may be granted, if deemed appropriate, in the context of the applicable former provisions of Zoning By-Law Number 8499 as it was read immediately prior to the passing of this By-Law, for one or more of the following applications:
 - 1. minor variances pursuant to Section 45 of the Planning Act;
 - 2. site plan control approval pursuant to Section 41 of the Planning Act;
 - 3. consent pursuant to Section 53 of the Planning Act;

4. draft plan of subdivision approval or draft plan of condominium approval pursuant to Section 51 of the Planning Act;
 5. payment in lieu of parking agreement pursuant to Section 40 of the Planning Act; and
 6. a part lot control exemption approval pursuant to Section 50 of the Planning Act.
- iii. Where the development or use of a lot or one or more buildings or structures qualifies under Section 23C.4(o)ii., a building permit may be issued after final approval is received for all required applications and if the development or use complies, or the building permit application for the development or use is amended to comply, with the provisions of the applicable former general zoning by-law as it was read immediately prior to the passing of this By-Law.
 - iv. Nothing in this By-Law applies so as to continue the exemption provided by Section 23C.4(o) beyond the issuance of the final building permit upon which the exemptions are founded.
 - v. Section 23C.4(o) shall be repealed in its entirety three years after the date of passing of this By-Law.

23C.5 Holding Symbol:

- (a) Purpose and Requirement for Removal of Holding Symbol:
 - i. The use and removal of the "-H" Holding Symbol shall be in accordance with the provisions of Section 5.39.
 - ii. Redevelopment of lands shall not proceed until the City is satisfied that there is adequate servicing capacity (i.e. water, wastewater, natural gas, and electrical) for the proposed development.
- (b) Permitted Interim Uses:
 - i. In accordance with Section 23C.2, provided the use occurs within the walls of a building / structure that existed on the date of the passage of this by-law.

23C.6 Temporary Use:

(T1) Williamsville Main Street (By-Law Number 2019-6)

Expires: December 18, 2021

The lands to which By-Law Number 2019-6 applies may be used for the following uses, in addition to those uses permitted in Section 23C.2:

- (a) Permitted Uses
 - i. Surface parking lot

(By-Law Number 8499; 2021-02)

Part V – Industrial Zones

Section 24: General Provisions for the Industrial Zone "M1"

24.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in M1 zones;

24.2 The following uses only shall be permitted in M1 zones:

- (a) farms,
- (b) market gardens, horticultural nurseries or greenhouses if no retail stands or commercial structures are maintained in connection therewith,
- (c) the following uses if conducted wholly within a completely enclosed building:
 - i. the manufacture, compounding, processing, packaging, or treatment of beverages, candy, cosmetics, dairy products, drugs, pharmaceutical products, toiletries and similar products, including food products,
 - ii. the manufacture of musical instruments, toys, novelties, hand tools, cutlery or other similar light metal products, metal and rubber stamps, metal planing, buffing or polishing,
 - iii. the manufacture or repair of electric and neon signs, billboards, commercial advertising structures and equipment,
 - iv. frozen food storage lockers,
 - v. distributing plants, parcel delivery, ice and cold storage plant, bottling plant and food commissary or catering establishments,
 - vi. wholesale businesses, storage buildings and warehouses,
 - vii. the assembling of electrical appliances, electronic instruments and devices, radios and phonographs, including the manufacture thereof of small parts only,
 - viii. laboratories, experimental, photo or motion picture, film or testing,
- (d) a watchman's quarters,

- (e) accessory buildings to any use permitted in M1 zones,

(By-Law Number 8499 – 1975)

- (f) accessory uses which are clearly subordinate to a use permitted in the M1 Zone.

(By-Law Number 87-61 – 1987)

24.3 The following regulation shall apply to lands, buildings or structures erected in M1 zones:

- (a) Maximum Height: 13.7m

- (b) Minimum Front Yard: 15.0m

- (c) Minimum Side Yard: 7.5m

- (d) Minimum Rear Yard: 7.5m

- (e) Minimum Lot Area

Farms: 4.0 ha

Market Gardens: 0.8 ha

Industries: 2,230.0m²

- (f) Minimum Lot Width

Market gardens, nursery / garden centre / greenhouse: 61.0m

All other permitted M1 uses: 36.0m

(By-Law Numbers 8499-1975; 79-174 – 1979; 2005-208 – 2005)

- (g) Maximum Lot Occupancy (including all accessory buildings): 35 per cent of lot area within the M1 zone

(By-Law Number 8499 – 1975)

- (h) Minimum Lot Depth: 61.0m

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (i) Off-Street Parking
As per Section 5.3 of this by-law.
- (j) Off-Street Loading
As per Section 5.4 of this by-law.
- (k) The following uses are prohibited in M1 zones:
 - i. the rendering or refining of fats or oils,
 - ii. the manufacture of sauerkraut, vinegar or yeast,
 - iii. planing or saw mills.

Section 25: General Provisions for the Industrial Zone "M2"

25.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in M2 zones:

25.2 The following uses only shall be permitted in M2 zones:

- (a) farms,
- (b) market gardens, horticultural nurseries or greenhouses if no retail stand or commercial structure is maintained in connection therewith,
- (c) the following uses if conducted wholly within a completely enclosed building:
 - i. the manufacture, compounding, processing, packaging or treatment of beverages, candy, cosmetics, dairy products, drugs, pharmaceutical products, toiletries, and similar products including food products,

(By-Law Number 8499)
 - ii. the manufacture, compounding, assembling, or treatment of articles from any of the following previously prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fibre, fur, glass, hair, horn, leather, paper, plastics, metals and alloys, stones, shell textiles, tobacco, wood,

- iii. the manufacture of ceramic products employing only previously ground clay and kilns fired only by electricity or gas,
- iv. the manufacture of musical instruments, toys, novelties, hand tools, cutlery or other similar light metal products, metal and rubber stamps, metal planing, buffing or polishing,
- v. the manufacture of repair of electric and neon signs, billboards, commercial advertising structures and equipment,
- vi. the assembling, painting, upholstering, rebuilding or reconditioning of automotive vehicles, tire retreading or recapping or the manufacture of batteries and light parts or accessories for automobiles,
- vii. frozen food storage lockers,
- viii. laundry, cleaning and dyeing works, and carpet and rug cleaning,
- ix. distributing plants, parcel delivery, ice and cold storage plant, bottling plant and food commissary or catering establishments,
- x. wholesale businesses, storage buildings and warehouses,
- xi. the assembling of electrical appliances, electronic instruments, and devices, radios and phonographs, including the manufacture thereof of small parts only,
- xii. laboratories, experimental, photo or motion picture, film or testing,
- xiii. freight or express sheds, trucking or freighting terminals, public markets,
- xiv. animal hospitals, kennels and shelters,
- xv. clay and glass products manufacturing,
- xvi. printing and publishing,
- xvii. metal stamping, rolling and extrusion processes,
- xviii. stone products manufacturing,
- xix. a feed mill.

(By-Law Number 8499 – 1975)

- (d) Enacted by By-Law Numbers 8499 and 79-174;

Repealed by By-Law Number 88-119.

(By-Law Number 88-199 – 1988)

- (e) a watchman's quarters,

- (f) accessory buildings to any use permitted in M2 zones,

(By-Law Number 8499 – 1975)

- (g) accessory uses which are clearly subordinate to a use permitted in the M2 zone.

(By-Law Number 87-61 – 1987)

25.3 The following regulations shall apply to lands, buildings or structures erected in M2 zones:

- (a) Maximum Height: 13.7m

- (b) Minimum Front Yard: 15.0m

- (c) Minimum Side Yard Width

- (i) a side yard shall be provided on either side of the main building;

- (i) the minimum aggregate side yard width shall be no less than 23.0m;

- (ii) each side yard shall not, at any point in its length, be a lesser width than 7.5m.

- (iv) No facilities other than a road or an automobile parking lot may be located in that part of the side yard which is within 23.0m of the street line.

(By-Law Numbers 8499 – 2975; 2003-379 – 2003)

- (d) Minimum Rear Yard: 7.5m

(e) Minimum Lot Area

Farms: 4.0 ha

Markets gardens, nursery / garden centre / greenhouse: 0.8 ha

Industries: 2,230.0m²

(By-Law Number 8499 – 1975; 2005-208 – 2005)

(f) Minimum Lot Width

Market gardens, nursery / garden centre / greenhouse: 61.0m

All other permitted M2 uses: 36.0m

(By-Law Numbers 8499 – 1975; 79-174 – 1979; 2005-208 – 2005)

(g) Maximum Lot Occupancy: 50 per cent of lot area within the M2 zone.

(By-Law Number 8499 – 1975)

(h) Minimum Lot Depth: 61.0m

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(i) Off-Street Parking

As per Section 5.3 of this by-law.

(j) Off-Street Loading

As per Section 5.4 of this by-law.

(By-Law Number 8499 – 1975)

Section 26: General Provisions for the Industrial Zone "M3"

Deleted by By-Law Number 83-110 – 1983.

Section 27: General Provisions for the Industrial Zone "M4"

Deleted by By-Law Number 83-110 – 1983.

Section 28: General Provisions for Waterfront Industrial Uses Zone "M5"

28.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in M5 zones:

28.2 The following uses only shall be permitted in M5 zones:

- (a) Docks and dock facilities,
- (b) ship and boat building,
- (c) ship and boat repair facilities,
- (d) storage warehouses if used in connection with transshipment of goods and materials from land to water and water to land, including grain elevators, but excluding fuel storage except for fuel used by ships and boats,
- (e) marinas,
- (f) sail lofts,

(By-Law Number 8499 – 1975)

- (g) ship chandlers, marine suppliers,
- (h) ship and boat storage yards,
- (i) towing services and tugboat services,
- (j) a watchman's quarters,
- (k) Accessory buildings to any use permitted in M5 zones,

(By-Law Number 8499 – 1975)

- (l) Accessory uses which are clearly subordinate to a use permitted in the M5 Zone.

(By-Law Number 87-61 – 1987)

28.3 The following regulations shall apply to lands, buildings or structures erected in M5 zones:

(By-Law Number 8499 – 1975)

- (a) Minimum Front Yard: 6.0m

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (b) Off-Street Parking

As per Section 5.3 of this by-law.

- (c) Off-Street Loading

As per Section 5.4 of this by-law.

Section 29: General Provisions for the Industrial Zone "M6"

29.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in M6 zones:

29.2 The following uses only shall be permitted in M6 zones; and conducted wholly within a completely enclosed building:

- (a) the manufacturing of food and kindred products,
- (b) the manufacturing, compounding, assembling or treatment of articles from the previously prepared materials, namely plastics, woods, metals and alloys,
- (c) the manufacture of structural clay products,
- (d) the manufacture of pottery and related products,
- (e) the manufacture of textile mill products (dyes and chemicals),
- (f) the manufacture of apparel and other finished products relating to fabrics, leather and similar materials,
- (g) the manufacturing of furniture and fixtures,
- (h) the manufacture or repair of electric and neon signs, billboards, commercial advertising structures and equipment.
- (i) automobile repairs and services,
- (j) automobile service stations,

- (k) distributing plants, ice and cold storage plants, frozen food storage lockers, food commissaries, catering establishments,
- (l) warehouses,
- (m) wholesale supply houses,
- (n) the assembly of electrical appliances, electronic instruments and devices, radios and phonographs including the manufacture of small parts to be used in the assembly of electrical appliances, electronic instruments, and devices, radios and phonographs,
- (o) photofinishing services,
- (p) freight or express sheds, trucking or freighting terminals,
- (q) animal shelters operated by a public or a private agency for the care and protection of unclaimed animals,
- (r) animal hospitals, veterinarian services and kennels,
- (s) the manufacture of flat glass, glass containers and glassware,
- (t) paper and allied products manufacturing,
- (u) printing plants, publishing businesses,
- (v) the manufacturing of cut stone and stone products,
- (w) the manufacturing of jewellery, silverware and plated ware,
- (x) the manufacturing of musical instruments and parts,
- (y) the manufacturing of toys, amusements, sporting and athletic goods,
- (z) the manufacturing of pens, pencils and other office and artists' material,
- (aa) the manufacturing of costume jewellery, costume novelties, buttons, and miscellaneous notions, (except precious metals),
- (bb) a watchman's quarters,
- (cc) soap manufacturing,

- (dd) chemical industries but excluding those which emit smoke or fumes obnoxious to humans or vegetation and excluding those with wastage materials unsuitable for a sewage treatment plant,
- (ee) accessory buildings to any use permitted in M6 zones,
- (ff) accessory uses which are clearly subordinate to a use permitted in the M6 Zone.

(By-Law Number 87-61 – 1987)

29.3 The following regulations shall apply to lands, buildings or structures erected in M6 zones:

- (a) Maximum Height: 13.7m
- (b) Minimum Front Yard: 15.0m
- (c) Minimum Side Yard: 7.5m
- (d) Minimum Rear Yard: 7.5m
- (e) Minimum Lot Area: 1,390.0m²
- (f) Minimum Lot Width: 30.0m
- (g) Maximum Lot Occupancy: 35 per cent lot area (including all accessory buildings)
- (h) Minimum Lot Depth: 45.0m

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (i) Off-Street Parking
As per Section 5.3 of this by-law.
- (j) Off-Street Loading
As per Section 5.4 of the by-law.

(By-Law Number 8499)

Section 30: General Provisions For The Industrial Zone "M7"

- 30.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in M7 zones;
- 30.2 The following uses only shall be permitted in M7 zones; and if conducted wholly within a completely enclosed structure:
- (a) the manufacture, compounding, processing, bottling packaging or treatment of beverages, dairy products, food products, drugs or pharmaceutical products,
 - (b) the manufacture, compounding, assembling or treatment of articles from the following previously prepared materials: plastics, woods, metals and alloy,
 - (c) the manufacture of ceramic tiles or other clay products employing only previously ground clay and kilns fired only by electricity or gas,
 - (d) the manufacture or repair of electric and neon signs, billboards, commercial advertising structures and equipment,
 - (e) the painting, upholstering, repairing, rebuilding or reconditioning of automotive vehicles (including tire retreading or recapping),
 - (f) distributing plants, ice and cold storage plants, frozen food storage lockers, food commissaries or catering establishments,
 - (g) wholesale supply houses,
 - (h) warehouses,
 - (i) the assembling of electrical appliances, electronic instruments and devices, including the manufacture of small parts to be used with the assemble of electric appliances, electronic instruments and devices, radios and phonographs,
 - (j) photofinishing services,
 - (k) freight or express sheds, trucking or freighting terminals,
 - (l) animal shelters operated by a public or private agency for the care and protection of unclaimed animals,
 - (m) animal hospitals, or veterinarian services and kennels,

- (n) glass products manufacturing,
- (o) cement products manufacturing,
- (p) iron foundries, steel foundries,
- (q) metal stamping, rolling and extraction processes,
- (r) stone products manufacturing,
- (s) printing plants,
- (t) tinsmith shops, sheet metal shops,
- (u) retail stores which are ancillary to wholesale supply houses or to services permitted in the area,
- (v) restaurants,
- (w) service stations,
- (x) car washes,
- (y) auto repair services,
- (z) laundry establishments,
- (aa) dry cleaning establishments,
- (bb) vending machine services,
- (cc) rental services,
- (dd) taxi dispatch services,
- (ee) a watchman's quarters
- (ff) accessory buildings to any use permitted in M7 zones,
- (gg) accessory uses which are clearly subordinate to a use permitted in the M7 zone.

(By-Law Number 87-61 – 1987)

(hh) Enacted by By-Law Numbers 8499 and 79-174;

Repealed by By-Law Number 88-119.

(By-Law Number 88-119 – 1988)

30.3 The following regulations shall apply to lands, buildings or structures erected in M7 zones:

(a) Maximum Height

- i. Subject to ii., the height of any building shall not exceed twice the horizontal distance from the centre of the street upon which the building fronts to the face of the wall of the building fronting upon such street.
- ii. The upper part of a building may be erected or altered to a height in excess of that determined by the immediately preceding regulations, provided that such excess height shall be within the angle contained between a horizontal plane at the street curb level and a line extending from the junction of such plane with the centre of the street upon which the building fronts and intersecting the prescribed line of minimum setback at a height equal to the total width of the street.

(b) Maximum Percentage of Lot Coverage

Any buildings may occupy one hundred per cent of the area of the lot except that where buildings previously erected have established a building line, the building to be erected shall conform to such building line.

(c) Inner Courts

The least horizontal dimension of any inner court shall not be less than one-half the height of such court.

(d) Outer Courts

The width of any outer court shall not be less than one-third of the height of such court, provided that it need not exceed the length; nor shall the length of the side walls forming such court be more than the height of such walls.

(By-Law Number 8499 – 1975)

(e) Air Wells

The cross-sectional area of any air well shall not be less than 9.0m². When an air well is in excess of two storeys in height, this area shall be increased throughout by ten per cent for each storey above the second.

Any air well shall be ventilated at its lowest level by a free air inlet and at its extreme height by a free air outlet, each of which shall have a minimum free cross-sectional area equivalent to ten per cent of the minimum cross-sectional area of the well, and shall be installed in such a manner as to ensure a free and continuous current of air.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(f) Off-Street Parking

As per Section 5.3 of this by-law.

(g) Off-Street Loading

As per Section 5.4 of this by-law.

Section 31: General Provisions for the Fuel Storage and Limited Light Industrial Zone "M8"

31.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in M8 zones:

31.2 The following uses only shall be permitted in M8 zones:

- (a) a bulk fuel storage tank,
- (b) any equipment necessary in the operation and control of bulk fuel storage centre,
- (c) the following uses if conducted wholly within a completely enclosed building:
 - i. the manufacture, compounding, processing, packaging, or treatment of beverages, candy, cosmetics, dairy products, drugs, pharmaceutical products, toiletries and similar products, including food products.
 - ii. the manufacture, compounding, assembling, or treatment of articles from any of the following previously prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fibre, fur, glass, hair, horn, leather, paper, plastics, metals and alloys, stones, shell textiles, tobacco, paint not employing a boiling process, wood.

- iii. the manufacture of musical instruments, toys, novelties, hand tools, cutlery or other similar light metal products, metal and rubber stamps, metal planing, buffing or polishing.
- iv. the manufacture or repair of electric and neon signs, billboards, commercial advertising structures and equipment.
- v. the assembly of electrical appliances, electronic instruments and devices, including the manufacturing of small parts required for such appliances, instruments and devices.
- vi. food commissaries and catering establishments.
- vii. ice plants, cold storage plants.
- viii. parcel delivery services.
- ix. warehouses or storage buildings.
- x. wholesale businesses.
- xi. a watchman's quarters.
- xii. accessory buildings to any use permitted in M8 zones.

(By-Law Number 8499 – 1975)

- xiii. accessory uses which are clearly subordinate to a use permitted in the M8 Zone.

(By-Law Number 87-61 – 1987)

31.3 No building or structure shall be erected, structurally altered, enlarged or maintained, and no land shall be used, except in accordance with the regulations set forth governing the erection and use of buildings and the uses of land in the M6 zones.

Section 31A: General Provisions for the Industrial Zone "M"

- (a) farms,
- (b) market gardens, nursery / garden centre / greenhouse,

(By-Law Numbers 8499 – 1975; 2005-208 – 2005)
- (c) any manufacturing, compounding, processing, treating, assembling, repairing packaging establishment which is not obnoxious by reason of the emission of contaminants as defined in the *Environmental Protection Act, 1971* or its legal successor, and which has obtained a certificate of approval as required under the Act,
- (d) distributing plants, trucking or freighting terminals, wholesale businesses, storage buildings and warehouses.

(By-Law Numbers 8499; 88-119 – 1988)
- (e) laboratories
- (f) laundries and cleaners,
- (g) animal hospitals, kennels and shelters,
- (h) a watchman's quarters,
- (i) accessory buildings to any use permitted in M zone,
- (j) accessory uses which are clearly subordinate to use permitted in the M zone. These accessory uses include retailing provided that no accessory retail uses shall occupy an area which is greater than 25% of the total floor area of all buildings on the lot.

31A.2 The following regulations shall apply to lands, buildings or structures erected in M zones:

- (a) Maximum Height: 13.5m
- (b) Minimum Front Yard: 15.0m
- (c) Minimum Side Yard: 7.5m
- (d) Minimum Rear Yard: 7.5m
- (e) Minimum Lot Area: 2,200.0m²

- (f) Minimum Lot Width: 36.5m
- (g) Minimum Lot Depth: 60.0m
- (h) Maximum Lot Coverage: 60 per cent
- (i) Off-Street Parking as per Section 5.3 of this by-law.
- (j) Loading Facilities as per Section 5.4 of this by-law.
- (k) Enacted By By-Law Numbers 78-138 and 83-109.

Repealed by By-Law Number 88-119.

(By-Law Number 88-119 – 1988)

31B.1 General Provisions for the Business Park Zone (M9)

(By-Law Numbers 8499; 90-271; 92-250)

The following uses only shall be permitted in the M9 zone:

- (a) any assembly, manufacturing, fabricating, or processing plant which is not obnoxious or a nuisance by reason of emission of contaminants as defined in the *Environmental Protection Act* or its legal successor;
- (b) data processing and related service;
- (c) film or recording studio;
- (d) laboratory or research and development facility;
- (e) printing establishment;

(By-Law Number 90-271 – 1990)

- (f) professional office in which a service or consultation is given, including the offices of a lawyer, a planner, an architect, a surveyor, an engineer, or a chartered accountant, but does not include a personal service shop, a medical/dental office, a clinic, a travel agency, or a real estate agency;

(By-Law Number 92-250 – 1992)

- (g) corporate administrative operations of an office nature;

(By-Law Number 90-271 – 1990)

- (h) accessory uses which are clearly subordinate to the use permitted in the M9 zone, and which shall not occupy an area which is greater than 10% of the total floor area.

(By-Law Numbers 90-271 – 1990; 92-250 – 1992)

31B.2 The following regulations shall apply to lands, buildings or structures erected in the M9 zone:

- (a) Maximum Height: 15.0m
- (b) Minimum Lot Area: 6,000 sq. m
- (c) Minimum Lot Width: 50.0m
- (d) Minimum Front Yard: 15.0m
- (e) Minimum Side Yard: 7.5m
lot abutting arterial street: 10.0m
- (f) Minimum Rear Yard: 7.5m
lot abutting arterial street: 10.0m
- (g) Lot Occupancy
Minimum: 20 per cent
Maximum: 100 per cent

(By-Law Number 90-271 – 1990)

- (h) Repealed By By-Law Number 92-250.
- (i) Off-Street Parking
 - (i) number of spaces as per Section 5.3 except as follows:
 - i) data processing establishment: 1 per 40 square metres gross floor area;
 - ii) film or recording studio: 1 per 40 square metres gross floor area;

- iii) printing establishment: 1 per 200 square metres gross floor area;
- iv) professional office: 1 per 40 square metres gross floor area;
- v) corporate administrative offices: 1 per 40 square metres gross floor area;
- vi) laboratory or research and development facility: 1 per 100 square metres gross floor area;

(By-Law Numbers 90-271 – 1990; 92-250 – 1992)

- (ii) parking prohibited within 10m of street line, and parking between building and street line shall be bermed and landscaped to screen parking from the street;
- (iii) all parking areas shall be surfaced in asphalt or concrete;
- (j) Loading Facilities:
 - (i) as per Section 5.4;
 - (ii) loading facilities shall be located at the rear or side of a building;
 - (iii) notwithstanding 31B.2(j)(ii), loading facilities shall be located at the side or front of a building which is located on a lot that abuts an arterial street;
- (k) Outdoor Storage: prohibited (including outdoor storage of vehicles);
- (l) Landscaping Area:
 - (i) adjacent to existing or proposed street, not less than 10m of landscaped area, excluding driveway;
 - (ii) adjacent to each side or rear lot line, not less than 2m of landscaped area, except for a lot abutting an arterial street where there shall not be less than 10m of landscaped area;
 - (iii) no structures or parking permitted in landscaped area.

(By-Law Number 90-271 – 1990)

Part VI – Park, Open Space and Environmental Protection Area Zones

(By-Law Numbers 8499 – 1975; 92-346 – 1992)

Section 32: General Provisions for the General Recreation Park Zone "P"

32.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in P zones:

32.2 The following uses only shall be permitted in P zones:

- (a) ornamental parks, scenic parks, leisure parks,
- (b) arboretums, botanical gardens, aviaries,
- (c) statues, ornamental sculptures or works of art, historic monuments,
- (d) wading pools, swimming pools, swimming beaches,
- (e) playlots, playgrounds,
- (f) playing fields, athletic fields, skating rinks (outdoor),
- (g) tennis courts, playing courts, bowling greens,
- (h) picnic areas,
- (i) hiking trails, nature walks, bicycle trails,
- (j) outdoor or tent theatres, bandstands, shelters,
- (k) golf courses,
- (l) launching ramps, mooring slips, docks for pleasure craft, publicly-owned marinas,
- m) tourist information offices, craft display centres,
- (n) parking areas accessory to park uses,
- (o) accessory buildings, including food concessions or restaurants,
- (p) The Murney Tower Museum,
- (q) uses similar to the permitted uses.

32.3 The following regulations shall apply to lands, buildings or structures erected in P zones:

(By-Law Number 8499 – 1975)

(a) Height: 10.7m

(By-Law Numbers 8499 – r1975; 79-174 – 1979)

(b) Minimum Front, Side and Rear Yards: 7.5m

Except that there shall be no Minimum Front, Side and Rear Yard requirements for wading pools, boat houses, boat launching and hoisting equipment, public washrooms, service buildings, park furniture and existing structures or building.

(By-Law Numbers 8499 – 1975; 8725 – 1976; 8891 – 1976; 79-174 – 1979)

(c) Off-Street Parking

As per Section 5.3 of this by-law.

(d) Off-Street Loading

As per Section 5.4 of this by-law.

Section 33: General Provisions for the Recreational Building Zone "P1"

33.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in P1 zones:

33.2 The following uses only shall be permitted in P1 zones:

(a) those permissible uses within the P zone which uses must conform to the regulations specific for the P zone,

(b) museums, art galleries, libraries,

(c) auditoriums, theatres,

(d) stadiums, arenas,

(e) fairgrounds,

- (f) amusement parks,
- (g) community centres,
- (h) camp grounds,
- (i) accessory buildings to any use permitted in P1 zones.

33.3 The following regulations shall apply to buildings or structures erected in P1 zones:

(By-Law Number 8499 – 1975)

- (a) Maximum Height: 10.7m

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (b) Minimum Front, Side And Rear Yards: 7.5m from any street line or from any property line

Except that there shall be no Minimum Front, Side and Rear Yard requirements for wading pools, boat houses, boat launching and hoisting equipment, public washrooms, service buildings, park furniture and existing structures or buildings.

(By-Law Numbers 8499 – 1975; 8725 – 1976; 8891 – 1976; 79-174 – 1979)

- (c) Off-Street Parking

As per Section 5.3 of this by-law.

- (d) Off-Street Loading

As per Section 5.4 of this by-law.

Section 34: General Provisions of the Water-Area Zone "P2"

34.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply to P2 zones:

34.2 The following uses only shall be permitted in P2 zones:

- (a) water related recreational uses,

- (b) accessory buildings to any use permitted in P2 zones.

34.3 The following regulations shall apply to buildings or structures erected in P2 zones:

(By-Law Number 8499 – 1975)

- (a) Maximum Height: 9.0m

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (b) No outside storage, except for boats, shall be permitted.

(By-Law Number 8499 – 1975)

Section 35: General Provisions for the Public Open Space Zone "OS1"

35.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in the OS1 zone:

(By-Law Number 92-346 – 1992)

35.2 The following uses only shall be permitted in OS1 zones:

- (a) nurseries and green houses provided that no retail stand or commercial structure is maintained in connection therewith;
- (b) publicly operated parks, parkways, conservation areas, golf courses, playgrounds, tennis courts, bowling greens and swimming pools (but not commercially operated stadiums, driving tees, ranges or miniature golf courses and similar uses operated for hire or gain),
- (c) accessory buildings to any use permitted in OS1 zones,
- (d) The MacDonald Cartier Freeway.
- (e) garden plots;
- (f) cycling paths and walkway systems;
- (g) horticultural displays
- (h) forestry and conservation reserves;

- (i) arboretums;
- (j) ancillary refreshment, shelter and recreation services;
- (k) complementary commercial uses;
- (l) accessory parking lots.

(By-Law Number 92-346 – 1992)

35.3 The following regulations shall apply to lands, buildings or structures erected in OS1 zones:

- (a) Maximum Height: 9.0m
- (b) Minimum Front Yard: 24.0m
- (c) Minimum Side Yard Width
 - i. a side yard shall be provided on either side of the main building.
 - ii. the minimum aggregate side yard width shall be no less than 61.0m
 - iii. each side yard shall not, at any point in its length be a lesser width than 23.0m.
- (d) Minimum Rear Yard: 15.0m
- (e) Minimum Lot Width: 91.0m (except public or semi-public or service buildings)
- (f) Minimum Lot Area
 - a nursery, a green house: 0.8 ha
- (g) Parking
 - As provided in Section 5.3 of this by-law.
- (h) Loading Areas
 - As provided in Section 5.4 of this by-law.

(By-Law Number 92-346 – 1992)

Section 36: General Provisions for the Private Open Space Zone "OS2"

36.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in OS2 zones:

36.2 The following uses only shall be permitted in OS2 zones:

(By-Law Number 8499 – 1975)

- (a) farms, market garden, nurseries and green houses provided that no retail stand or commercial structure is maintained in connection therewith; and on farms, for each 4.0 ha there shall not be more than one family dwelling,

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (b) parks, golf courses, playgrounds, parkways, tennis courts, bowling greens and swimming pools (but not commercially operated stadiums, driving tees, ranges or miniature golf courses and similar uses operated for hire or gain),

- (c) sanitariums,

- (d) churches and religious institutions,

- (e) public or private day schools,

(By-Law Number 8499 – 1975)

- (f) Community Homes, subject to the provisions of Section 5.32 of this by-law,

(By-Law Numbers 87-236 – 1987; 91-17 – 1990)

- (g) cemeteries,

- (h) accessory buildings to any use permitted in OS2 zones.

(By-Law Numbers 8499 – 1975; 79-6 – 1979)

36.3 The following regulations shall apply to lands, buildings or structures erected in OS2 zones:

(By-Law Number 8499 – 1975)

- (a) Maximum Height: 23.0m

(b) Minimum Front Yard: 9.0m

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(c) Minimum Side Yard Width

i. a side yard shall be provided on either side of the main building,

(By-Law Number 8499 – 1975)

ii. the minimum aggregate side yard width shall be not less than 61.0m,

iii. each side yard shall not, at any point in its length be a lesser width than 23.0m.

(d) Minimum Rear Yard: 15.0m

(e) Minimum Lot Width: 91.0m (except public or semi-public utility or service buildings)

(f) Minimum Lot Area: 0.8 ha (except tennis courts, playing fields, parks, public and semi-public utilities or services)

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(g) Parking as provided in Section 5.3 of this by-law.

(h) Loading Areas as provided in Section 5.4 of this by-law.

Section 37: General Provisions for the Harbour Open Space Zone "OS3"

37.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in OS3 zones:

37.2 The following uses only shall be permitted in OS3 zones:

(a) publicly operated docks, piers and landing places,

(b) publicly operated launching ramps,

(c) public bridges with accessory uses and structures,

(d) public beaches,

(By-Law Number 8499 – 1975)

- (e) private docks, piers and landing places not exceeding 15.0m in length which are accessory to a residential use provided that they abut land that is in a residential zone,
- (f) private docks, piers and landing places not exceeding 7.5m in length which are accessory to a non-residential use provided that:

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- i. they abut land that is in a non-residential zone,
- ii. they are accessory to a use which is permitted in the abutting non-residential zone,
- iii. no part of the private dock, pier or landing place may abut land that is in a residential zone.

Section 38: General Provisions for the Environmental Protection Area Zone "EPA"

38.1 Subject to compliance with the provisions of Section 5, the following provisions shall apply in EPA Zones:

(By-Law Number 92-346 – 1992)

38.2 The following uses only shall be permitted in the EPA zones:

- (a) fish, fowl and wild life preserves and conservation uses;
- (b) flood control structures and works;
- (c) erosion control structures and works;
- (d) public and private parks;
- (e) outdoor recreation, education and interpretation activities including nature trails, pathways and walkways and associated structures;
- (f) water quality control uses;
- (g) forestry and conservation reserves;

- (h) Belle Park Fairways Municipal Golf Course.

(By-Law Number 92-346 – 1992)

38.3 The following regulations shall apply to the lands in the EPA zones:

- (a) Except as provided for in the preceding Section 38.2, no buildings shall be permitted;
- (b) No parking areas shall be permitted.

(By-Law Number 92-346 – 1992)

Part VII – Enactment

39.1 Repeal of Existing By-Laws

- (a) By-Law Nos. 3078 and 749, and all amendments thereto, are hereby repealed and such repeal comes into effect upon the date this by-law comes into force.
- (b) By-Law Nos. 3077 and 541 and all amendments thereto, are hereby repealed except as to those lands shown shaded on Schedule "B" attached hereto and made a part of this by-law, and such repeal comes into effect upon the date this by-law comes into effect.

(By-Law Number 8499 – 1975)

39.2 Effective Date

This by-law shall come into full force and take effect as of 1975 10 15 00 01.

(By-Law Numbers 8499 – 1975; 8616 – 1975; 79-174 – 1979)

Part VIII – Exceptions to the Various Zone Classifications

Subject to the provisions of Section 2.5 and notwithstanding anything to the contrary contained in this by-law:

(By-Law Number 8499 – 1975)

40. On the approximately 0.12 ha parcel of land located on the southeast corner of Division Street and Railway Street and designated A.40 on Zoning Map Number 17, any building in existence on the date of passing of this by-law shall be deemed to be in conformity with all provisions of this By-Law however:

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (a) the permitted uses for such building shall only be as follows:
- i. a bank,
 - ii. a retail store or similar use,
 - iii. a multiple family dwelling,
- (b) no enlargement, extension or structural alteration of any kind shall be permitted.

(By-Law Number 8499 – 1975)

41. On the approximately 0.14 ha parcel of land located on the south side of Pine Street approximately 21.0m from Division Street and designated A.41 on Zoning Map Number 17 of this by-law,

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (a) an apartment building containing not more than 41 senior citizen apartments shall be a permitted use, subject to the provisions of Zone C,
- (b) the minimum number of required off-street parking spaces shall be in the order of one parking space for every four senior citizen apartments, plus 10 additional parking spaces.

(By-Law Numbers 8499 – 1975)

42. On the approximately 0.22 ha parcel of land located at the northwest corner of Mack Street and Alfred Street and designated A.42 on Zoning Map Number 19 of

this by-law, there may be erected two six units apartment buildings, in accordance with the plan attached hereto and forming part of this by-law as Schedule "C". (First duplicated Section of 42 will be administratively deleted by an amending by-law that will be presented to Council by July 2015 for third reading)

42. 1, 11 and 15 Mack Street and 318 and 320 Alfred Street

Notwithstanding any provisions of Section 16 hereof to the contrary, on the lands zoned 'B3.42' on Schedule "A" attached hereto, the following provisions shall apply:

- a) Permitted Use: multiple family dwelling
- b) Minimum Yards:
 - (i) from north property line - 7.1 metres
 - (ii) from east property line - 1.4 metres
 - (iii) from south property line - 3.5 metres
 - (iv) from west property line - 10.6 metres
- c) Maximum Lot Occupancy: 128%
- d) Maximum Number Of Residential Units: 23
- e) Minimum Number Of On-Site Parking Spaces: 1 parking space per unit
- f) Minimum Amenity Space Area: 1,045.0 square metres
- g) Maximum Number Of Bedroom Per Unit: 4
- h) Maximum Number Of Bedrooms: 70
- i) Bedroom: shall mean any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
 - i. Common areas open to all occupants of the unit;
 - ii. Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and

- iii. Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
- j) Any side yard abutting any part of a lot occupied by a one-family dwelling or a two-family dwelling shall be fenced with a 1.83 metre high wood board fence.
- k) Projection Into Yards: Notwithstanding any provision of Section 5.8 hereof to the contrary, the following provisions shall apply:
 - (i) A covered or uncovered unenclosed porch, deck, balcony or veranda may project out from the main building wall providing it is no closer than 0.3 metres to the east lot line and 2.0 metres to the south lot line.
 - (ii) Uncovered steps may project out from the main building wall up to the front lot line.
- l) Residential Units Fronting On A Street: Notwithstanding any provision of Section 5.22 hereof to the contrary, the building known as 11 Mack Street existing on the site as of the date of the passing of this By-Law, shall be deemed to comply with the regulations of this Zoning By-Law for residential units fronting on a street. In the event that the existing building known as 11 Mack Street is removed, any new development shall be subject to the regulations of this by-law.

(By-Law Numbers 8499; 2013-104 – OMB PL 120467)

- 43. On the approximately 5.87 ha parcel of land located south of King Street, being part of Registered Plan 1069 in the City of Kingston, and designated A.43 on Zoning Map Number 29, the minimum required front yard shall be 4.6m and no building or part thereof shall be so situated on a lot that any part except eaves or uncovered steps will be closer to the street line than 4.6m.
- 44. On the approximately 0.24 ha parcel of land located on the north side of Earl Street approximately 18.0m west of Alfred Street and designated A.44 on Zoning Map Number 30 of this by-law, the existing residential building providing accommodation primarily for students and owned by the Science 44 Co-operative Inc. shall be deemed to be a building and use of land conforming to the provisions of the A zone however no extension or enlargement to this building shall be permitted.
- 45. On the approximately 1.28 ha parcel of land located on the north side of Bath Road approximately 15.0m east of the intersection with Queen Mary Road

and designated A1.45 on Zoning Map Number 22 of this by-law, a nursing home as defined in Section 4.58 of this by-law and being not more than two storeys in height shall be deemed to be a permitted use.

46. On the parcels of land identified as Lot 441 Reg. Plan 1246 on the south side of Norman Rogers Drive east of Roden Street and on Lots 445 and 453 Reg. Plan 1246 on the east side of Roden Street north of Johnson Street, all three lots being designated A2.46 on Zoning Map Number 25 the minimum lot areas shall be as follows:

- Lot 441 – 527.6m² more or less
- Lot 445 – 516.5m² more or less
- Lot 453 – 510.9m² more or less.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

47. On the parcel of land identified as Lot 17, Reg. Plan 679, located on the north-west corner of Forsythe Avenue and Wolfe Street and designated A2.47 on Zoning Map Number 26 of this by-law, a two-family dwelling which shall be of brick or brick veneer construction, with cottage type roof and one and one-half storeys high, shall be permitted.

48. On the approximately 0.06 ha parcel of land located on the south side of Johnson Street approximately 30.0m east of Mowat Avenue and designated A2.48 on Zoning Map Number 26 of this by-law, a two family dwelling which shall be of brick or brick veneer construction, with cottage type roof, two storeys high and of the same general appearance as the dwelling located on the lot immediately east of the subject property, shall be permitted.

49. On the approximately 0.1 ha parcel of land located on the south side of Princess Street approximately 91.0m east of Portsmouth Avenue and designated A2.49 on Zoning Map Number 12 a two-family dwelling shall be a permitted use.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

50. On the approximately 0.15 ha parcel of land located on the east side of Victoria Street between Union Street and Earl Street and on the approximately 0.19 ha parcel of land located on the east side of Victoria Street between Union Street and Earl Street, both parcels being designated A4.50 on Zoning Map Number 30 of this by-law, not more than a total of seven two-family dwellings shall be permitted to be constructed.

(By-Law Numbers 8499 – 1975; 79-174 – 1979; 83-110 – 1983)

51. On the parcels of land identified as Lots 3 and 4 Reg. Plan 671 being on both sides of Hatter Street west of Yonge Street an designated A5.51 on Zoning Map Number 26, the Minimum Lot Area shall be 297.0m² and the Minimum Front Yard shall be 4.9m.
52. On the approximately 0.07 ha parcel of land located on the southwest corner of Mowat Avenue and Churchill Street and designated A5.52 on Zoning Map Number 28,
- (a) a Physiotherapy Clinic within the same building as a place of residence provided that the said premises continue to be the place of residence only for Hans Blaser or Vreni Blaser, shall be a permitted use,
 - (b) the portion of the building so occupied by the Physiotherapy Clinic shall at no time occupy more than 116.0m² of floor area of the building including the basement, provided that at no time more than three Physiotherapists are engaged in the practice of physiotherapy on the subject lands.
53. On the approximately 0.78 ha parcel of land located on the east side of Montreal Street south of the Macdonald-Cartier Freeway and designated A5.53 on Zoning Map Number 5 the total minimum lot area for two-family dwellings shall be 778.0m² and the minimum lot width for two-family dwellings shall be 20.4m.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

54. On the approximately 0.43 ha parcel of land located on the southeast corner of Johnson Street and Bagot Street and designated B.54 on Zoning Map Number 31,

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (a) a residential building containing not more than 51 senior citizen apartments plus one dwelling unit shall be a permitted use of the land,
- (b) the minimum number of required off-street parking spaces shall be 30,

(By-Law Numbers 8499 – 1975; 8786 – 1976)

- (c) there shall be no regulations regarding:
 - i. Percentage of Lot Occupancy
 - ii. Minimum Front Yard
 - iii. Minimum Rear Yard
 - iv. Minimum Side Yard
 - v. Courts

vi. Density

55. On the approximately 0.06 ha parcel of land located on the north side of Lower Union Street approximately 17.0m east of Bagot Street and designated A.55 on Zoning Map Number 31, a hospital as defined by the Public Hospitals Act, R.S.O. (1970) Chapter 378, shall be a permitted use of land.

56. On the approximately 0.18 ha parcel of land located on the south side of Wellington Street between Gore and Earl Streets and designated B.56 Zoning Map Number 31, the provisions of the B zone shall apply except that:

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(a) the permitted uses shall also include:

i. a residential building containing a maximum of seventeen selling units; and

(By-Law Number 79-140 – 1979)

ii. Repealed by By-Law Number 79-140.

(b) A maximum of three off-street parking spaces may be located in a yard other than the rear yard.

57. On the approximately 1.32 ha parcel of land located on the south side of Nickle Avenue west of Curtis Crescent and designated B1.57 on Zoning Map Number 24, the maximum number of dwelling units that may be erected thereon shall be 120, nor shall any building be built which is over seven storeys in height.

58. 1 Curtis Crescent

Notwithstanding the provisions of Sections 5 and 14 hereof to the contrary, on the 1.85 hectare parcel of land located on the west side of Portsmouth Avenue between Nickle Avenue and Curtis Crescent in the City of Kingston, and zoned 'B1.58' on Schedule A, the following provisions shall apply:

(a) Maximum number of dwelling units: 119

(b) Front Yard Setback (minimum): 4.5 metres

(c) Off-Street Parking

(d) 0.62 parking spaces per residential unit.

(e) Parking spaces shall have a minimum width of 2.6 metres.

(f) A minimum of 7 barrier-free parking spaces shall be provided, including 3

Type A and 4 Type B.

- (g) A maximum of 16 parking spaces may be permitted within a front yard.

All other provisions of the B1 Zone and By-Law Number 8499, as amended, shall apply to the lands zoned the B1.58 Zone.

(By-Law 8499; 2018-150)

59. On the approximately 0.09 ha parcel of land located on the south side of Johnson Street west of Yonge Street and designated B1.59 on Zoning Map Number 26, no outside stairway shall be permitted.
60. On the approximately 0.3 ha parcel of land located on the east side of Hillendale Avenue south of Princess Street and designated B1.60 on Zoning Map Number 21, the maximum density shall be 106.2 unites per ha and multiple family structures erected thereon shall be in substantial conformity with the site plans prepared by Regent Properties Company, copies of which are attached and form part of this by-law as Schedules “D-1”, “D-2”, “D-3”, and “D-4”.

61. **780 Division Street**

Notwithstanding any provisions of Section 14 hereof to the contrary, on the lands zoned ‘B1.61’ on Schedule “A” attached hereto, the following provisions shall apply to the entire area zoned ‘B1.61’:

- (a) Minimum Front Yard Along Division Street:
- (i) 5.0 metres for a row dwelling; and,
 - (ii) 7.5 metres for an apartment building
- b) Maximum Density: 80 dwelling units per hectare

(By-Law Numbers 8499; 2010-215)

62. On the approximately 0.53 ha parcel of land located between Mowat Avenue and Yonge Street south of Logan Street and designated B1.62 on Zoning Map Number 29, the maximum building height shall be 21.3m.
63. On the approximately 0.77 ha parcel of land located on the North side of Barbara Avenue west of Division Street and designated B1.63 on Zoning Map Number 14, the maximum density shall be 111.2 dwelling units per ha.
64. On the approximately 2.17 ha parcel of land located on the southwest corner of Bath Road and Portsmouth Avenue and designated B1.64 on Zoning Maps

Number 21 and Number 22 the erection and occupation of 56 three bedroom family units and 20 four bedroom family units shall be permitted provided that the location of the said buildings is in substantial conformity with the location shown on the site plan prepared by E.A. Cromarty, Architect, dated September 18, 1969, a copy of which is attached hereto and forms part of this by-law as Schedule "F".

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

65. On those lands located north of Weller Avenue and west of Wilson Street and designated B1.65 on Zoning Maps number 3 and 7, the provisions of the B1 zone shall apply except as otherwise stipulated on Schedule "G" attached to and forming part of this by-law and/or as outlined in Section 65(a) as follows:

(a) Development shall be permitted only if it is in substantial conformity with the site plan prepared by Headway Corporation Limited, dated April 10, 1972, a copy of which is attached to and forms part of this by-law as Schedule "G". The Schedule "G" is intended to allow development subject to the provisions of the B1 zone save and except that:

1. Blocks B, D, H, J, L and M as shown on Schedule "G" shall be designated B1.65.

(By-Law Number 8499 – 1975)

(a) Blocks D, H, L and M shall be used for 246 O.H.C. family housing units with land area of 5.22 ha more or less;

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

(b) Blocks H and M shall be modified to permit 1.0 parking space per unit;

(c) Block J shall be modified to permit 1.0 parking space for each four units;

(d) Blocks D, H, J, L and M shall be modified to permit buildings to be erected within the required set back and side yard area;

(By-Law Number 8499 – 1975)

(e) Block B shall be modified as follows:

- (i) to permit a maximum of 267 dwelling units in three buildings, each of which is to have a maximum height of 6 storeys;

(By-Law Numbers 8499 – 1975; 8846 – 1976)

- (ii) to provide that off-street parking facilities may be located anywhere on the lot except that no parking space may be located within 30.5m of a street line.

(By-Law Numbers 8499 – 1975; 8846 – 1976; 79-174 – 1979)

- (f) Blocks D, H, L and M shall be modified to permit buildings to be constructed at the rear of others and not fronting on a public street;

- (g) Block J shall be modified to permit a maximum of 53 dwelling units;

- (2) Blocks B-1, BB, BBB, C, DD, HH, and JJ as shown on Schedule "G" shall be designated B1.65 but not permitting dwelling units;

- (3) Blocks E, EE, G, GG as shown on Schedule "G" shall be designated B1.65 but permitting the erection of a Day Care Centre only, and in the event the Blocks are not so used, then the said Blocks shall be used in perpetuity for Park purposes.

(By-Law Number 8499 – 1975)

- 66. On the approximately 1.3 ha parcel of land on the east side of Van Order Drive north of MacPherson Avenue and designated B2.66 on Zoning Map Number 21, the erection of two buildings, each containing not more than 20 bachelor units and 10 one bedroom units, shall be permitted.
- 67. On the approximately 3.02 ha parcel of land located west of Queen Mary Road and South of Bath Road and designated B3.67 on Zoning Map Number 22, any multiple family dwelling constructed, or for the construction of which a building permit has been issued by the Building Inspector, before the date of passage of this by-law by the City, which was constructed in accordance with all by-laws of the City in force at that date, shall be deemed to be a use of land conforming with the provisions of this by-law. No extension, expansion or structural alteration of any kind to the said multiple family dwelling may be allowed.

68. On the approximately 0.97 ha parcel of land located on the south side of King Street East and on the west side of West Street and designated B3.68 on Zoning Map Number 31, the existing multiple family dwelling shall be deemed to be a use of land conforming with the provisions of this by-law except that:

- (a) no parking in association with this use shall be permitted within 36.6m of the south side of King Street,

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

- (b) no extension, expansion or structural alteration of any kind to the said multiple family dwelling shall be allowed.

(By-Law Number 8499 – 1975)

69. On the approximately 0.95 ha parcel of land located on the east side of Ontario Street south of Lower Union Street as extended and designated B3.69 on Zoning Map Number 31, any multiple family dwelling constructed, or for the construction of which a building permit has been issued by the building Inspector, before the date of passage of this by-law by the City which was constructed in accordance with all by-laws of the City, in force at that date, shall be deemed to be a use of land conforming with the provisions of this by-law. No extension, expansion or structural alteration of any kind to the said multiple family dwelling shall be allowed.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

70. Within the block bounded by King Street, Collingwood Street, Queens Crescent and Albert Street as shown designated E.70 on Zoning Map Number 30, any building constructed, or for the construction of which a building permit has been issued by the Building Inspector, before the date of passage of this by-law by the City, which was constructed in accordance with all by-laws of the City in force at that date, shall be deemed to be a use of land and building conforming with the provisions of this by-law.

- a) Density – The maximum habitation unit density of the E.70 zone of lands owned by a higher educational or medical institution shall not exceed 550 habitation units per net ha.

(By-Law Numbers 8499; 2013-191)

71. On the approximately 3.3 hectare (8.2 acre) property, generally bounded by Union Street, Division Street, Earl Street and University Avenue and zoned 'E.71' on Zoning Map 30 attached to and forming part of By-Law Number 2006-145, the provisions of the "E" Zone shall be in force where applicable except that:

- (a) In addition to the uses permitted in Section 17.2 of By-Law Number 8499, the following uses shall also be permitted:
- a bank;
 - a drug and sundry store;
 - a Laundromat;
 - a dry cleaning outlet;
 - a barber shop;
 - a hairdresser or hair stylist service; and
 - a bookstore.
- (b) the uses listed in (a) above shall not occupy more than 882.6 m² of floor space in total.
- (c) buildings within which any of the uses mentioned in (a) above are located shall not contain any show or display windows associated with these uses and which are visible from the exterior of the building.
- (d) there shall be no commercial signs visible from the exterior of the building.
- (e) access to the uses listed in (a) above shall not be directly from the external part of the building but shall be from common corridors within the building, except that those uses which require direct service entrances from any street may have such entrance provided that they are used for that purpose only.
- (f) Building Setback from University Avenue (minimum): 6.0m
- Building Setback from Union Street (minimum): 9.53m
- Building Setback from Division Street (minimum): 0.0m
- Building Setback from Earl Street (minimum): 0.0m
- Interior Side Yard Setback - East side (minimum): 3.2m
- Interior Side Yard Setback – West side (minimum): 3.6m
- (By-Law Numbers 8499 – 1975; 79-174 – 1979; 83-110 – 1983; 2006-145)

72. On the approximately 2.83 ha parcel of land located west of Sir John A. Macdonald Boulevard north of Union Street and designated E1.72 on Zoning Map Number 26, a Maximum height of 48.8m or 16 storeys shall be the permitted building height.
73. For the parcel of land extending approximately 82.0m along the westerly boundary of the property owned by Queen's University, located west of Sir John A. Macdonald Boulevard, south of Johnson Street and designated E1.73 on Zoning Map Number 26, a minimum rear yard of 10.7m shall be permitted.

(By-Law Number 8499 – 1975)

74. On the approximately 0.23 ha parcel of land located on the north side of Franklin Place and designated C.74 on Zoning Map Number 20, the construction shall be restricted to a commercial and apartment complex containing a total of 48 dwelling units, 613m² of commercial area and a total of 100 parking spaces. It shall be substantially in conformity with the plan entitled "Proposed Commercial and Apartment Complex Scheme "F", prepared by E.A. Cromarty, Architect, dated November 1970, attached to and forming part of this by-law as Schedules "H-1", "H-2", "H-3", "H-4" and "H-5".

(By-Law Numbers 8499 – 1975; 83-110 – 1983)

75. On the approximately 0.22 ha parcel of land located on the east side of Regent Street approximately 106.5m south of Princess Street and designated C.75 on Zoning Map Number 20, only a parking lot in association with a hotel shall be a permitted use of the land.

76. Repealed and superseded by Section 7.3.1 (Neighbourhood Fringe Commercial (C1-1)) Zone of By-Law 96-259.

(By-Law Numbers 8499 – 1975; 96-259 – 1996)

77. On the approximately 0.45 parcel of land located on the northeast corner of Sir John A. Macdonald Boulevard and Princess Street and designated C2.77 on Zoning Map Number 13, a wholesale business shall be a permitted use.
78. On the approximately 0.09 ha parcel of land located on the northwest corner of Concession Street and Macdonnell Street and designated C2.78 on Zoning Map Number 13, only the construction and operation of a gasoline bar and an attendant's building shall be permitted. The foregoing uses shall be subject to the regulations of the C2 zone except that:

- (a) The minimum front yard shall be as follows:

Buildings: 6.55m

Gas Pumps: 2.6m

- (b) The minimum lot depth shall be 22.9m
 - (c) The minimum ground floor area shall be 16.3m²
79. On the approximately 6.92 ha parcel of land located east of Division Street south of the Macdonald-Cartier Freeway and designated C2.79 on Zoning Map Number 3, the minimum required front yard from the easterly limit of Division Street shall be 25.9m.
80. On the approximately 0.21 ha parcel of land located on the north side of Concession Street between Grey and Alfred Streets and designated C2.80 on Zoning Map Number 19, the minimum required front yard shall be 13.7m.
81. On the approximately 1.38 ha parcel of land located on the north side of Princess Street west of Portsmouth Avenue and designated C2.81 on Zoning Map Number 11 the following use shall also be permitted:
- A garage, in conjunction with automobile sales rooms, for major vehicle repairs excluding body shop, paint shop and the sale of gasoline to the public.
82. On the approximately 1.42 ha parcel of land located on the north side of Princess Street east of Sir John A. Macdonald Boulevard and designated C2.82 on Zoning Map Number 13, the maximum height shall be 14.6m and the location of the building shall be in substantial conformity with the site plan prepared by Ala-Kantti, Liff, Stefaniszyn, Architects, dated November 1971, a copy of which is attached to and forms part of this by-law as Schedules "I-1", "I-2", and "I-3".

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

83. 263 and 267 Weller Avenue

Notwithstanding the provisions of Section 5 and Section 19 hereof to the contrary, the lands designated 'E2.83' on Schedule "A" hereto, the following regulations shall apply:

(a) Permitted Institutional Uses:

Notwithstanding any provisions to the contrary only the following uses are permitted:

- (i) Administrative offices for an institutional organization, including a non-profit organization which provides healthcare, community and other social support services
- (ii) Church
- (iii) Clinic
- (iv) Community Centre
- (v) Community Hall
- (vi) Convents
- (vii) Daycare centre
- (viii) Education Centre
- (ix) Education Facility
- (x) Hospitals as defined by the *Public Hospitals Act*, R.S.O. (1970) Chapter 378,
- (xi) Library
- (xii) School

(By-Law Numbers 8499; 83-110; 2013-170)

(b) Neighbourhood Commercial Uses:

- (i) Permitted Uses:
 - (a) Banks
 - (b) Commercial Schools
 - (c) Neighbourhood Stores
 - (d) Restaurants
 - (e) Retail Stores
- (ii) Notwithstanding any provisions to the contrary the maximum permitted aggregate gross floor area of all neighbourhood commercial uses shall not exceed 25 per cent of the total gross floor area on the property

- (iii) Notwithstanding any provisions to the contrary there shall be no more than four individual neighbourhood commercial uses

(c) Minimum Required Yards:

- (i) Weller Street Front Yard: 9.0 metres
- (ii) Compton Street Front Yard: 9.0 metres
- (iii) West Side Yard: 15.0 metres
- (iv) North Side Yard: 7.0 metres

(d) Landscaping Strip: A minimum 5.0 metre wide landscaping strip is required along the entire western property line

(e) Maximum Height: 15.0 metres

(f) Off-Street Parking: For uses not specifically designated in Section 5.3, a minimum of 3 parking spaces per 100 square metres of gross floor area shall be required

(g) Bicycle Parking: A minimum of 1 bicycle parking space per 100 square metres of gross floor area shall be required.

(By-Law Numbers 8499; 83-110; 2013-170)

- 84.** On the approximately 6.84 ha parcel of land located within the block bounded by Sir John A. Macdonald Boulevard, Princess Street and Bath Road, and designated C3.84 on Zoning Map Number 13 the maximum lot occupancy shall be not greater than 30 per cent, and the number of parking spaces provided shall be not less than 4.8 spaces per 92.9m² of gross leasable area.

85. 1100 Princess Street

Notwithstanding the provisions of Section 23 hereof to the contrary, on the lands designated 'C3.85' on Schedule "A" hereto, the following regulations shall apply:

- (a) Minimum front yard:
 - (i) From Princess Street: 3.0 metres; and
 - (ii) From Sir John A. Macdonald Boulevard: 6.6 metres.
- (b) Minimum side yard along the south lot line: 2.3 metres.
- (c) The maximum lot occupancy shall be 36.5 percent.

- (d) The number of off-street parking spaces provided shall not be less than:
 - (i) 4.6 spaces per 92.9 square metres of gross leasable area for a supermarket; and
 - (ii) 5.0 spaces per 92.9 square metres of gross leasable area for all other uses.
- (e) The off-street parking space requirement may be reduced by a maximum of 48 parking spaces while a seasonal garden centre is operational (from April 15 to October 15 each year).
- (f) A total of 112 off-street parking spaces are permitted off site within 100 metres of the subject property.
- (g) Off-street parking spaces shall have a minimum length of 5.8 metres.
- (h) A maximum of twelve (12) barrier free parking spaces are permitted to have a minimum length of 5.8 metres.
- (i) A minimum of five loading spaces shall be provided on site.
- (j) A drive-through facility must be setback a minimum of 21 metres from a residential use or zone.”

(By-law Number 8499; 2017-44)

- 86.** Deleted by O.M.B. Order dated September 7, 1977.
- 87.** Repealed by By-Law Number 79-138 – 1979.
- 88.** Repealed by By-Law Number 79-138 – 1979.
- 89.** Repealed by By-Law Number 79-138 – 1979.
- 90.** Repealed by By-Law Number 79-138 – 1979.
- 91.** On the approximately 0.4 ha parcel of land located on the north side of Elliot Avenue east of Montreal Street and designated M2.91 on Zoning Map Number 7, a single family dwelling shall be a permitted use of land which is in substantial conformity with the site plan dated September 9, 1971, a copy of which is attached to and forms part of this by-law as Schedule "J".

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

92. Repealed by By-Law Number 79-138 – 1979.
93. Repealed by By-Law Number 79-138 – 1979.
94. Repealed by By-Law Number 92-346 – 1992.
95. Repealed by By-Law Number 79-138 – 1979.
96. On the approximately 12.34 ha parcel of land located on the north side of Counter Street, west of Lappan's Lane and designated M.96 on a copy of Zoning Map Number 9 attached to and forming part of By-Law Number 79-138 as Schedule "E", the following uses shall also be permitted:

- i. Reconditioning and selling of used machinery.
- ii. Scrap ferrous and non-ferrous metal storage and processing.

The land to be used for scrap ferrous and non-ferrous metal outside storage shall be restricted to an area on the subject property north of a line 58m from Counter Street to be adequately screened with said screening to be satisfactory to the City.

(By-Law Number 79-138 – 1979)

97. For those parcels of land designated M6.97 on Zoning Map Nos. 15 and 17, any building containing one or more dwelling units constructed or for the construction of which a building permit has been issued by the Building Inspector, before the date of passage of this by-law by the City, which was constructed in accordance with all by-laws of the City in force at that date, shall be deemed to be a use of land and building conforming with the provisions of this by-law. No extension, expansion or structural alteration of any kind which does not conform with the regulations set out in Section 6.3 of this by-law or which has the effect of creating an additional unit within or attached to the said building shall be permitted.

(By-Law Number 8499 – 1975)

98. Repealed by By-law Number 2010-189.

(By-Law Numbers 8499 – 1975; 79-174 – 1979; 2010 – 189)

99. For those parcels of land located north of King Street West, east of the Little Cataraqui River and designated 0S2.99 on Zoning Map Number 27, any one or two family dwelling constructed, or for the construction of which a building permit has been issued by the Building Inspector, before the date of passage of this by-law by the City, which was constructed in accordance with all by-laws of

the City in force at that date, shall be deemed to be a use of land and building conforming with the provisions of this by-law. No extension, expansion or structural alternation of any kind which does not conform with the regulations set out in section 6.3 of this by-law or which has the effect of creating an additional dwelling unit within or attached to the said building shall be permitted.

(By-Law Number 8499 – 1975)

100. On the approximately 0.24 ha parcel of land located on the south side of Stuart Street, east of University Avenue and designated E 100 on Zoning Map Number 30, there shall be no minimum side yard requirements.

(By-Law Numbers 8499 – 1975; 79-174 – 1979)

101. On the approximately 12.0 ha parcel of land located east of Division Street north of Weller Avenue and designated C2.101 on Zoning Map Number 3:

- (a) the permitted uses shall only be as follows:
- i. Offices in connection with businesses or professions, provided there is not over 604.0m² of office space per structure;
 - ii. Banks;
 - iii. Bowling alleys, theatres, auditoriums;
 - iv. Brewer's retail store and liquor store;
 - v. Motels or hotels;
 - vi. Municipal and publicly owned utility and government buildings or facilities and telephone exchanges;
 - vii. Indoor and outdoor athletic and sports facilities, including open or enclosed stadiums;
 - viii. Accessory uses incidental solely to any of the above uses which may include restaurants, lunch counters and retail stores (including retail stores selling general service);
 - ix. Repair and services for electrical and household equipment;
 - x. Restaurants and lunch counters including drive-in restaurants;
 - xi. Automobile sales, service and repair shops and gas bars, including diesel and propane fuels;

- xii. Neighbourhood stores excluding department stores of full line food stores;
- xiii. The combined maximum of the permitted uses listed in Paragraphs x., xi., and xii., above shall not exceed 2,800m² floor area.

- (b) The minimum side and rear yard requirements shall also include the following provisions:

Wherever the subject property abuts a residential zone, a yard of not less than 19.4m wide shall be provided within the subject property. This yard shall be screened by a masonry wall not less than 1.4m in height, which shall extend to within 7.6m of the street line. Nothing other than a driveway shall be located in the yard.

(By-Law Number 81-237(B) – 1981)

102. Repealed.

(By-Law Number 84-68 – 1984)

103. On the approximately 11.54 ha parcel of land located north of Kirkpatrick Street, west of Division Street and designated A3.103 on Zoning Map Number 8, the following regulations shall also apply:

(By-Law Numbers 8499 – 1975; 8727 – 1976; 79-5 – 1979; 79-174 – 1979;
83-110 - 1983)

- i. Minimum Side Yard
 - Semi Detached Dwelling (total): 4.8m (2.4m each side except where the dwellings have attached garages, in which case there shall be a total of 2.4m side yard – 1.2m each side)
 - All Other Dwellings (total): 2.4m (1.2m minimum each side)
 - However on a corner lot the minimum side yard abutting a street shall be 6.0m.
- ii. Minimum Lot Area

Single Family Dwelling: 370.0 m²
- iii. Minimum Lot Width

Single Family Dwelling: 12.0m (except 18.0m for a corner lot)

Two Family Dwelling: 18.0m (except 21.0m for a corner lot)

104. Repealed and superseded by Section 7.3.6 (179 Queen Street (C1-6)) Zone of By-Law Number 96-259.

(By-Law Numbers 8499 – 1975; 96-259 – 1996)

105. Repealed by By-Law Number 79-138 – 1979.

106. On the approximately 1.62 ha parcel of land designated A.106 on Zoning Map Number 31 within the structure located at the rear of the Frontenac County Court House, commonly referred to as "the Gaoler's Residence", a non-profit administration office for use by the Canadian Red Cross Society shall also be a permitted use.

107. On the approximately 11.13 ha parcel of land located south of Counter Street west of Sir John A. Macdonald Boulevard and designated B2.107 on Zoning Map Number 10, the Maximum Density shall not exceed 39.5 dwelling units per ha of lot area.

108. On the approximately 0.32 ha parcel of land located south of Counter Street west of Sir John A. Macdonald Boulevard and designated C2.108 on Zoning Map Number 10 the following provisions shall also apply:

- (a) The permitted uses shall only be as follows:
 - i. Retail Stores (including retail stores selling general services) lunch counters, restaurants;
 - ii. Offices in connection with a business or profession;
 - iii. Banks;
 - iv. Accessory buildings to any use permitted above.
- (b) Maximum Height: 9.0m
- (c) Minimum Front Yard: 7.5m
- (d) Minimum Lot Depth: 38.1m
- (e) Off-Street Parking

As per Section 5.3 of this by-law however for C2 uses not specifically designated in this Section 1 parking space shall be provided for every 28.0m² of store area including office space.

109. On those parcels of land consisting of approximately 4.82 ha of land located south of Princess Street immediately east of the Little Cataraqui River and designated B1.109 on Zoning Map Number 11, the maximum number of permissible dwelling units shall be 326.

(By-Law Numbers 9308 – 1978; 79-174 – 1979; 83-110 – 1983)

110. On that parcel of land located adjacent to the Little Cataraqui River between Bath Road and Princess Street and designated B1.110 on Zoning Map Number 11, the maximum density shall not be greater than 35.8 units per ha.

(By-Law Numbers 8499 – 1975; 79-174 – 1979; 83-110 – 1983)

111. On the approximately 2.51 ha parcel of land located north of Cataraqui Street west of Orchard Street and designated M8.111 on Zoning Map Number 17, the permitted uses shall also include retail outlets for the following products: coal, wood, heating and air conditioning equipment, gasoline and oil.

112. Repealed by By-Law Number 90-65.

113. On the nine parcels of land located west of Montreal Street north of Sutherland Drive and designated A3.113 on Zoning Map Number 4 the following regulations shall also apply:

- (a) Minimum Lot Area

One family dwelling: 370.0 m²

- (b) Minimum Lot Width

One family dwelling: 12.0m

Two family dwelling: 15.0m

(By-Law Numbers 8499 – 1975; 79-174 – 1979; 86-130 – 1986; 90-65 – 1990)

114. On the publicly owned land on the south side of King Street West and designated M5.114 on Zoning Map Number 27, the following uses shall also be permitted:

- salt, coal, grain and sand storage.

(By-Law Numbers 8499 – 1975; 89-222 – 1990)

115. On the approximately 1.05 ha parcel of land located west of Portsmouth Avenue and south of Johnson Street and designated B1.115 on a copy of Zoning Map

Number 24 attached to and forming part of By-Law Number 8759 as
Schedule "A":

(By-Law Numbers 8759 – 1976; 79-174 – 1979)

- i. The permitted uses shall be group or row dwellings only;
- ii. The maximum number of dwelling units that may be permitted thereon shall be 30;

(By-Law Number 8759 – 1976)

- iii. The requirements for Minimum Floor Area and Bachelor Dwelling Units shall be as follows:

Minimum Floor Area (Per Dwelling Unit):

Two to five family dwelling: 74.3m²

Six or more family dwelling: 65.0m²

Bachelor Apartment: 28.0m²

(By-Law Numbers 8759 – 1976; 79-174 – 1979)

Within a multiple family dwelling, not more than one bachelor apartment shall be permitted for every four family dwelling units.

- iv. The minimum number of required off-street vehicle parking spaces shall be in the ratio of 1.3 spaces per dwelling unit.
- v. Off-street vehicle parking facilities shall be provided on the same lot or premises as the referred to structure of use and may occupy any location thereon other than any required front yard space.

(By-Law Number 8759 – 1976)

- vi. The Play Space requirements shall be as follows:

- (a) Where housing units are allowed and there are more than 40 housing units with more than one bedroom contained in one or more apartment buildings on the property, a Play Space of at least 2.3m² per housing unit shall be provided in one location. In projects of over 100 such housing units, the required space may be separated into two or more areas provided no one space is less than 232.0m².

(By-Law Numbers 8759 – 1976; 79-174 – 1979)

- (b) Play Spaces shall be located in rear areas, at ends of buildings or in other suitable locations on the property which will not impair views from living rooms or front entrances, and permit easy access from the housing units without encountering traffic hazards.

vii. There shall be no requirements for the provisions of Amenity Areas.

(By-Law Number 8759 – 1976)

116. On the approximately 1.92 ha parcel of land located west of Portsmouth Avenue and north of Nickle Avenue and designated B1.116 on a copy of Zoning Map Number 24 attached to and forming part of By-Law Number 8759 as Schedule "A":

- i. The permitted uses shall be multiple family dwellings only;
- ii. The maximum number of dwelling units that may be permitted thereon shall be 178 units;

(By-Law Number 8759 – 1976)

iii. The requirements for Minimum Floor Area and Bachelor Dwelling Units shall be as follows:

Minimum Floor Area (Per Dwelling Unit):

Two to five Family dwelling: 74.3m²

Six or more family dwelling: 65.0m²

Bachelor apartment: 28.0m²

(By-Law Numbers 8759 – 1976; 79-174 – 1979)

Within a multiple family dwelling, not more than one bachelor apartment shall be permitted for every four family dwelling units.

- iv. The minimum number of required off-street vehicle parking spaces shall be in the ratio of 1 space per dwelling unit.
- v. Off-Street vehicle parking facilities shall be provide on the same lot or premises as the referred to structure or use and may occupy any location thereon other than any required front yard space.

(By-Law Number 8759 – 1976)

vi. The Play Space requirements shall be as follows:

- (a) Where housing units are allowed and there are more than 40 housing units with more than one bedroom contained in one or more apartment buildings on the property, a Play Space of at least 2.3m² per housing unit shall be provided in one location. In projects of over 100 such housing units, the required space may be separated into two or more areas provided no one space is less than 232.0m².

(By-Law Numbers 8759 – 1976; 79-174 – 1979)

- (b) Play Spaces shall be located in rear areas, at ends of buildings or in other suitable locations on the property which will not impair views from living rooms or front entrances, and permit easy access from the housing units without encountering traffic hazards.

vii. There shall be no requirements for the provision of Amenity Areas.

(By-Law Number 8759 – 1976)

117. On the approximately 0.16 ha parcel of land located at the northeast corner of Division Street and Johnson Street, known as 329 Johnson Street and zoned 'B.117' on a copy of Zoning Map Number 31 attached to and forming part of By-Law Number 2005-143 as Schedule "A", the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 13 of this by-law, the permitted uses shall also include:
 - (a) a coffee shop with a maximum floor area of 150 square metres, located on the ground floor of the building
 - (b) an office with a maximum floor area of 150 square metres, located on the ground floor of the building.

(By-Law Numbers 8724 – 1976; 79-174 – 1979; 2005-143 – 2005)

118. On those lands located west of Montreal Street and south of Railway Street and designated M6.97 and M6.118 on a copy of Zoning Map Number 17 attached to and forming part of By-Law Number 8728 as Schedule "A", the permitted uses shall also include the storage, warehousing, distribution, fabrication and otherwise processing of new steel.

(By-Law Number 8728 – 1976)

119. On the approximately 0.12 ha parcel of land bounded by Barrie Street, Ordinance Street and York Street, known municipally as 391 Barrie Street, and zoned as “A.119” on Zoning Map Number 18 attached to and forming part of amending By-Law Number 2009-24 the permitted uses shall also include “Health Care Professional Office.” The building and site development as of the date of the passing of this by-law shall be deemed to comply with the regulations of this Zoning By-Law. No additional floor space may be created unless approved by the Committee of Adjustment or additional amendment to the Zoning By-Law. For the purpose of the “A.119” zone, the following definition shall apply:

Health Care Professional Office means a building used by health practitioners such as physicians, dentists, midwives, physiotherapists, and other similar professions, their staff, and their patients for the purposes of consultation, diagnosis and office treatment. The building may include administrative offices, waiting rooms, treatment rooms and other accessory rooms. This shall not include accommodation for in-patient care or operating rooms for major surgery.”

(By-Law Numbers 8732 – 1976; 79-174 – 1979; 2009-24)

120. Repealed.

(By-Law Numbers 8734 – 1976; 8907 – 1976)

121. On the approximately 0.22 ha parcel of land located on the east side of Montreal Street opposite Hickson Avenue and designated B1.121 on a copy of Zoning Map Number 15 attached to and forming part of By-Law Number 8784 as Schedule "A";

- (a) the permitted uses shall only include a 12 unit apartment building and accessory buildings thereto;
- (b) the minimum required front yard shall be 5.8m;
- (c) the minimum number of required off-street parking spaces shall be 12.

(By-Law Numbers 8784 – 1976; 79-174 – 1979)

122. On the approximately 0.1 ha parcel of land located at the southwest corner of Johnson and Aberdeen Streets and designated E.122 on a copy of Zoning Map Number 30 attached to and forming part of By-Law Number 8845 as Schedule "A", two, two family dwellings may be erected, subject to the provisions of Zone A, except that the minimum lot area requirement shall be 232.0m² per unit.

(By-Law Numbers 8845 – 1976; 79-174 – 1979)

123. (a) On the approximately 0.04 ha parcel of land located on the east side of Nelson Street, north of Princess Street, and designated A.123 on Zoning Map Number 19 attached to and forming part of By-Law Number 8926 as Schedule "A",
- i. The permitted uses shall also include a minimum of ten parking spaces in exclusive association with uses located on the adjacent parcel of land designated C.123 on Zoning Map Number 19.
 - ii. The parking area referred to in Section 123(a)i. shall be buffered with a wall or fence along the north and east boundaries.

(By-Law Numbers 8866 – 1976; 8926 – 1976; 79-174 – 1979; 83-110 – 1983)

125. On the approximately 0.16 ha parcel of land located on the east side of Albert Street and designated C.125 on a copy of Zoning Map Number 19 attached to and forming part of By-Law Number 8873 as Schedule "A", no buildings shall be located within 15.2m of Albert Street and the land within 15.2m of Albert Street shall be used for landscaping purposes only except that underground parking shall be permitted.

(By-Law Numbers 8873 – 1976; 79-174 – 1979)

126. On those municipal parks commonly referred to as City Park, Cricket Field, McCullough Park, Shannon Park, Cataraqui Park and Lake Ontario Park and designated P.126 and P1.126 on copies of Zoning Maps Nos. 7, 15, 16, 17, 21, 22, 27, 28, and 31, attached to and forming part of By-Law Number 8891 as Schedules "A", "B", "C", "D", "E", "F", "G", "H", and "I", the Minimum Front, Side and Rear Yards from any street line or from any property line shall be 15.24m, except that there shall be no Minimum Front, Side or Rear Yard requirements for wading pools, boat houses, boat launching and hoisting equipment, public washrooms, service buildings, park furniture and existing structures or buildings.

(By-Law Number 80-156A – 1980)

127. Repealed and superseded by Section 9.3.7 (1-13 Maitland Street (HR-7)) Zone of By-Law Number 96-259.

vii. Repealed by By-Law Number 83-168 – 1983.

(By-Law Numbers 8995 – 1977; 79-174 – 1979; 83-168 – 1983; 96-259 – 1996)

128. Repealed and superseded by Section 9.3.7 (1-13 Maitland Street (HR-7)) Zone of By-Law Number 96-259.

(By-Law Numbers 8995 – 1977; 96-259 – 1996)

130. On the approximately 0.12 ha parcel of land located at the northwest corner of Clergy and Colborne Streets and designated A.130 on Zoning Map Number 18 attached to and forming part of By-Law Number 9016 as Schedule "A":
1. An undertaker's establishment shall also be a permitted use.
 2. This undertaker's establishment shall be subject to the provisions of the A zone except that:
 - (a) the minimum required front yard shall be 1.5m,
 - (b) the maximum percentage of lot coverage shall be 41 per cent of the total lot area,
 - (c) the maximum total building floor area for all buildings shall be 975.5m².

(By-Law Numbers 9016 – 1977; 79-174 – 1979)

131. On the approximately 4.0 ha parcel of land located on the east side of Yonge Street south of King Street and designated P.131 on Zoning Map Number 29 attached to and forming part of By-Law Number 9035 as Schedule "A", the permitted uses shall also be:

- g) offices for or in connection with a business, profession or government service;
- h) retail sales of marine supplies, excluding foodstuffs and drug sundries;
- i) ship chandlers;
- j) community schools, and educational classes or courses given under the jurisdiction of a university community college or board of education;
- k) social or recreational clubs or groups;
- l) the total floor area to be occupied by a), b), and c) above shall not exceed a total of 929.0m² to be confined within the Olympic Harbour building;
- m) A trade show and a specific day retail sales use shall also be permitted as accessory uses within the lands zoned P.131 as follows:

Specific Day Retail Sales means the use of any lot, building or structure, or part thereof, for an event that brings together members of the public or an industry for the purpose of selling or buying goods or services, including entering into contracts for the sale and/or purchase of goods or services; which are complementary to the principle permitted uses.

Trade Show means the use of any lot, building or structure, or part thereof, for an event held to bring together members of a particular industry to display, demonstrate, and promote their latest products and services; which are complementary to the principle permitted uses.

- a. Parking for any recreational use and accessory use to a recreational use shall be at a rate of 1 space for each 26 square metres of gross floor area.

That the existing rear yard setback and interior side yard setback of the building located at 53 Yonge Street, existing on the date of passing this By-law, shall be permitted.

(By-Law Numbers 9035 – 1977; 79-174 – 1979; 2019-78)

132. Repealed and superseded by Section 7.3.1 (Neighbourhood Fringe Commercial (C1-1)) Zone of By-Law Number 96-259.

(By-Law Numbers 90-64 – 1990; 96-259 – 1996)

133. On the approximately 1.98 ha parcel of land located north of Elmwood Street and west of Sir John A. Macdonald Boulevard and designated B3.133 on a copy of Zoning Map Number 21 attached to and forming part of By-Law Number 9046 as Schedule "A", the maximum number of permissible dwelling units shall be 229.

(By-Law Numbers 9046 – 1977; 79-174 – 1979)

134. On the approximately 1.0 ha parcel of land located at the northwest corner of Montreal and Briceland Streets and designated B1.134 on a copy of Zoning Map Number 7 attached to and forming part of By-Law Number 9052, as Schedule "A", the maximum permitted height shall be 10.7m.

(By-Law Number 9052 – 1977; 79-174 – 1979)

135. On the approximately 10.7 ha parcel of land located east of Rideau Street and north of River Street and designated B3.135 on Zoning Map Number 16 and 17 attached to and forming part of By-Law Number 9064 as Schedule "A" and "B", the maximum number of permitted dwelling units shall be 790.

(By-Law 9064 – 1977; 79-174 – 1979)

136. On the two parcels of land consisting of Approximately 1.82 ha located east of Rideau Street and North of River Street and designated C2.136 on Zoning Map Number 17 attached to and forming part of By-Law Number 9064 as Schedule "A", the permitted uses shall only include a hotel and accessory uses thereto and convenience retail and service commercial facilities appropriate to the nature of the development which facilities shall be limited to a maximum area of 1,115.0m².

(By-Law Numbers 9064 – 1977; 79-194 – 19789)

137. Repealed and superseded by Section 7.3.3 (Heritage Commercial (C1-3)) Zone of By-Law Number 96-259.

(By-Law Numbers 9088 – 1977; 79-174 – 1979; 96-259 – 1996)

138. On the approximately 1.06 ha parcel of land located at the northwest corner of Bath Road and Sir John A. Macdonald Boulevard and designated B3.138 on a copy of Zoning Map Number 21 attached hereto as Schedule "A", the maximum permitted density shall be 131.6 dwelling units per ha, the maximum number of permissible dwelling units shall be 140 and the minimum number of required parking spaces shall be 140.

(By-Law Numbers 9103 – 1977; 79-174 – 1979; 83-110 – 1983)

139. On the approximately 0.53 ha parcel of land located at the northeast corner of Bagot and Cataraqui Streets and designated A.139 on a copy of Zoning Map Number 17 attached to and forming part of By-Law Number 9230 as Schedule "A", the permitted uses shall also include a Brewers Retail sales outlet and distributing warehouse.

(By-Law Numbers 9230 – 1978; 79-174 – 1979)

140. On the two parcels of land located on either side of Bagot Street between Charles and Dufferin Streets on the east and between John Street and Charles Street on the west and designated C1.140 on copies of Zoning Map Number 17 and 18 attached to and forming part of By-Law Number 9233 as Schedules "A" and "B"; and on copies of Zoning Map Number 17 and 18 attached to and forming part of By-Law Number 89-237 as Schedules "A" and "B".

(a) The permitted uses shall only include:

- i. a grocery store
- ii. a warehouse for groceries and related products used in a wholesale business.
- iii. parking lots.

(b) The permitted uses listed in Section (a) above shall only be located within the areas exclusively identified for these uses in Schedule "C" attached to and forming part of this by-law.

- (c) The minimum number of required off-street vehicular parking spaces shall be 140.
- (d) No extension or enlargement to the existing buildings within the C1.140 zone shall be permitted, however, alterations, including structural alterations, necessary for the normal maintenance and repair of the existing buildings will be permitted.

(By-Law Numbers 9233 – 1978; 89-237 – 1989)

141. On the parcel of land identified as 308 Montreal Street and designated A.141 on copies of Zoning Map Number 17 and 18 attached to and forming part of By-Law Number 9233, as Schedules "A" and "B", the permitted uses shall also include neighbourhood stores provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of July 28, 1975 plus an area equal to 10 per cent of the previously described area.

(By-Law Number 9233 – 1978)

142. On the parcel of land identified as 298-394 Montreal Street and designated A.142 on copies of Zoning Map Number 17 and 18 attached to and forming part of By-Law Number 9233, as Schedules "A" and "B", the permitted uses shall also include neighbourhood stores and a retail store selling office supplies provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of July 28, 1975 plus an area equal to 10 per cent of the previously described area.

(By-Law Number 9233 – 1978)

143. On the parcel of land identified as 240-246 Montreal Street and Designated A.143 on a copy of Zoning Map Number 18 attached to and forming part of By-Law Number 9233 as Schedule "B" the permitted uses shall also include a drive-in restaurant and neighbourhood stores provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of July 28, 1975 plus an area equal to 10 per cent of the previously described area.

(By-Law Number 9233 – 1978)

144. **235 Montreal Street**

Notwithstanding the provisions of Section 5 and Section 14 hereof to the contrary, the lands designated 'A.144' on Schedule 'A' hereto, the following regulations shall apply:

(a) Definitions:

"Take-Out Restaurant" means an establishment where food is offered for sale or sold to the public solely for consumption off the premises of the establishment.

"Personal Service Shop" means an establishment wherein a personal service is performed. This definition may include a barber shop, a beauty salon, a dressmaking shop, shoe repair shop, or a tailor shop, a photographic studio, or similar use.

"Professional Office" means a building or part of a building wherein one or more individuals are employed in the management, direction, or conducting of any agency, business, brokerage or labour organization and includes such uses as a doctor's office, lawyer's office, an architect's office, an engineer's office, real estate agency, consulting firm, communications office, and research business, but does not include any use otherwise defined in this By-law. This use class does not include medical clinics.

"Planting Strip" means the open unobstructed space at grade on a lot accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of trees, shrubs, hedges and flower beds.

(b) Permitted Uses:

General Store
Food Store
Drug Store
Hardware store
Sporting goods store
Personal Service Shop
Take-Out Restaurant
Professional Office

(c) Professional office use shall be limited to a gross floor area of 147 square metres.

(d) Take-out Restaurants shall not include seating for more than 4 people

(e) Required number of parking stalls

10

- (f) Two 3.0 metres wide planting strips shall be provided on the front of the property, along the east and west side property lines.

(By-Law Number 9233 – 1978; 2017-207)

- 145. On the parcel of land identified as 277 Montreal Street and designated A.145 on copies of Zoning Maps Number 17 and 18 attached to and forming part of By-Law Number 9233 as Schedules "A" and "B", the permitted uses shall also include neighbourhood stores provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of July 28, 1975 plus an area equal to 10 per cent of the previously described area.

(By-Law Number 9233 – 1978)

- 146. On the parcel of land identified as 285 Montreal Street and designated A.146 on copies of Zoning Maps Number 17 and 18 attached to and forming part of By-Law Number 9233 as Schedules "A" and "B", the permitted uses shall also include neighbourhood stores provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of July 28, 1975 plus an area equal to 10 per cent of the previously described area.

(By-Law Number 9233 – 1978)

- 147. On the parcel of land identified as 303 Montreal Street and designated A.147 on copies of Zoning Maps Number 17 and 18 attached to and forming part of By-Law Number 9233 as Schedules "A" and "B", the permitted uses shall also include neighbourhood stores provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established these premises as of July 28, 1975 plus an area equal to 10 per cent of the previously described area.

(By-Law Number 9233 – 1978)

- 148. Repealed by By-Law Number 92-346.

- 149. On the approximately 0.08 ha parcel of land located on the west side of Bagot Street between Bay and Ordnance Streets and designated A.149 on a copy of Zoning Map Number 18 attached to and forming part of By-Law Number 9234, as Schedule "A", the permitted uses shall also include an ambulance service operated by the Ministry of Health.

(By-Law Number 9126 – 1977)

150. On the approximately 0.14 ha parcel of land located on the west side of Mowat Avenue between Union Street and Baiden Street and designated A5.150 on a copy of Zoning Map Number 28 attached to and forming part of By-Law Number 9163 as Schedule "A", the permitted uses shall also include a row dwelling containing four dwelling units.

(By-Law Number 9163 – 1978)

151. Repealed and superseded by Section 7.3.3 (Heritage Commercial (C1-3)) Zone of By-Law Number 96-259.

(By-Law Numbers 9172 – 1978; 79-174 – 1979; 96-259 – 1996)

153. Repealed by By-Law Number 80-77.

154. Repealed by By-Law Number 80-77.

155. On the approximately 1.98 ha parcel of land located east of Orchard Street between River and Cataraqui Streets and designated P.155 on a copy of Zoning Map Number 17 attached to and forming part of By-Law Number 9258 as Schedule "A", the permitted uses shall also include a building for recreational use by the Kingston Rowing Club and the Cataraqui Canoe Club.

(By-Law Number 9258 – 1979; 79-174 – 1979)

156. On the approximately 0.11 ha parcel of land located at the northwest corner of Connaught and Concession Streets and designated C2.156 on Zoning Map Number 19 attached to and forming part of By-Law Number 85-76 as Schedule "A", the following regulation shall apply:

- i. The permitted use shall only be an automotive repair shop that installs and services previously manufactured parts excluding body repairs, paint shop, exhaust system repairs, sale of new or used automobiles and the sale of gasoline;
- ii. Notwithstanding the provisions of Section 5.3 of this by-law, the minimum number of required off-street parking spaces shall be sixteen (16);
- iii. Notwithstanding the provisions of Section 22.3(d) of this by-law, there shall be no minimum required rear yard;
- iv. Notwithstanding the provisions of Section 22.3(c) of this by-law, there shall be no minimum side yard requirement on the west side of the property and the minimum required side yard on the east side of the property shall be 2.4 metres;

- v. Notwithstanding the provisions of Section 22.3(f) of this by-law, the minimum required lot depth shall be 41.0 metres.

(By-Law Number 85-76 – 1985)

158. By-Law Number 9343 – 1978. Not Approved.

159. On the approximately 0.08 ha parcel of land located on the west side of Portsmouth Avenue south of Princess Street (848 Portsmouth Avenue), and designated C2.159 on a copy of Zoning Map Number 11, attached to and forming part of By-Law Number 9324 as Schedule "A";

- i) There shall be no Minimum Rear Yard requirement.
- ii) Deleted by By-Law Number 83-110 – 1983.
- iii) The Minimum Lot Depth shall be 39m.

(By-Law Numbers 8499; 9324 – 1978; 79-174; 83-110)

160. On the approximately 2.96 ha parcel of land located north of Bath Road and west of the extension of Queen Mary Road and designated B1.160 on a copy of Zoning Map Number 22, attached to and forming part of By-Law Number 9378 as Schedule "A":

- i) the maximum number of permitted dwelling units shall be 167;
- ii) the maximum permissible building height shall be six storeys.
- iii) Notwithstanding clause subsection i) above, the property known municipally as 358 Queen Mary Road shall be permitted a maximum of 6 additional dwelling units with 5 dwelling units in a cellar.

(By-Law Numbers 8499; 9378 – 1978; 79-174; 2014-40)

162. On the approximately 0.04 ha parcel of land located at the southwest corner of Rideau and Cataragui Street and designated A.162 on a copy of Zoning Map Number 17 attached to and forming part of By-Law Number 9385 as Schedule "A":

- i) The permitted uses shall also include a Group Home operated by the Kingston and District Association for the Mentally Retarded;
- ii) For the purpose of this Section, a Group Home shall be defined as a single housekeeping unit in a residential dwelling in which three to ten residents live as a family under responsible supervision, in accordance

with provincial requirements, and consistent with the requirements of its residents. The home shall be licensed or approved by the Province of Ontario. "Residents" for the purpose of this Section shall be defined as to exclude staff or receiving family.

(By-Law Numbers 9385 – 1978; 79-174 – 1979)

163. Repealed and superseded by Section 7 (Central Business System (C1)) Zone of By-Law Number 96-259.

(By-Law Numbers 79-15 – 1979; 79-174 – 1979; 96-259 – 1996)

164. On the approximately 0.07 ha parcel of land located on the east side of Division Street south of Stephen Street and designated A.164 on Zoning Map Number 17 attached to this by-law as Schedule "A";

- i) the permitted uses shall also include business and professional offices;
- ii) repealed by By-Law Number 83-168 – 1983;
- iii) one parking space shall be provided for each 27.78m² of office space located on the said property.

(By-Law Numbers 79-30 – 1979; 79-174 – 1979)

165. On the approximately 0.04 ha parcel of land located on the north east corner of barrack and Bagot Streets and designated A.165 on Zoning Map Number 18 attached to and forming part of By-Law Number 79-139 as Schedule "A":

- (a) The permitted uses shall also include professional offices having a maximum total floor area of 435m²;
- (b) The minimum number of required on site parking spaces shall be six;
- (c) There shall be no front yard, rear yard, side yard or lot coverage requirements.

(By-Law Numbers 79-139 – 1979; 79-234 – 1979)

166. On the approximately 0.2 ha parcel of land located at the southeast corner of King Street East and Maitland Streets and designated A.166 on a copy of Zoning Map Number 31 attached to and forming part of By-Law Number 79-140 as Schedule "A":

- (a) The permitted uses shall also include professional offices having a maximum total floor area of 140m² provided they are located in the existing building;
- (b) A minimum of 1 parking space for every 28m² of professional office space shall be provided;
- (c) The required commercial off-Street parking spaces may be located in the front yard of the building.

(By-Law Number 79-140 – 1979)

167. On the Approximately 0.13 ha parcel of land located on the south side of Queen's Crescent east of Albert Street and designated E.167 on a copy of Zoning Map Number 30 attached to and forming part of By-Law Number 79-201 as Schedule "A", the permitted uses shall also include a day care centre.

(By-Law Number 79-201 – 1979)

168. Repealed and superseded by Section 7.3.1 (Neighbourhood Fringe Commercial (C1-1)) Zone of By-Law Number 96-259.

(By-Law Numbers 79-263 – 1979; 96-259 – 1996)

169. On the parcel of land identified as 73-75 Bay Street and 442 Bagot Street and designated A.169 on a copy of Zoning Map Number 18, attached to and forming part of By-Law Number 79-263 as Schedule "B", the permitted uses shall also include neighbourhood stores, provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of the date of the passing of this by-law plus an area equal to 10 per cent of the previously described area.

(By-Law Number 79-263 – 1979)

170. On the parcel of land identified as 424 Bagot Street and designated A.170 on a copy of Zoning Map Number 18 attached to and forming part of By-Law Number 79-263 as Schedule "B", the permitted uses shall also include neighbourhood stores provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of the date of passing of this by-law, plus an area equal to 10 per cent of the previously described area.

(By-Law Number 79-263 – 1979)

171. On the parcel of land identified as 212 Montreal Street and 68-70 Raglan Road and designated A.171 on a copy of Zoning Map Number 18 attached to and forming part of By-Law Number 79-263 as Schedule "B", the permitted uses shall also include neighbourhood stores and a retail florist shop provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of the date of passing of this by-law plus an area equal to 10 per cent of the previously described area.

(By-Law Number 79-263 – 1979)

172. On the parcel of land identified as 61-63 John Street and designated A.172 on copies of Zoning Maps Number 17 and 18 attached to and forming part of By-Law Number 79-263 as Schedules "A" and "B", the permitted uses shall also include neighbourhood stores provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of the date of passing of this by-law plus an area equal to 10 per cent of the previously described area.

(By-Law Number 79-263 – 1979)

173. **330 Division Street**

On the parcel of land identified as 330 Division Street and zoned A.173 on Zoning Map Number 19, the following provisions shall apply:

- 1) The permitted uses shall also include a neighbourhood store subject to the following provisions:
 - (i) Neighbourhood store shall have a maximum gross floor area of 186 square metres on the ground floor only.
- 2) Notwithstanding the provisions of Section 6 hereof to the contrary, for the lands zoned 'A.173', the following regulations shall apply:
 - (i) Minimum Lot Area: 445 square metres for a Two-Family Dwelling;
 - (ii) Minimum Front Yard: 0 metres for a length of 18 metres on York Street and 0 metres for a length of 10 metres on Division Street;
 - (iii) Maximum Percentage Lot Coverage: 46%;

- (iv) Maximum Building Height: 8.0 metres;
- (v) The maximum permitted height of any exterior wall exclusive of end gable shall be: 8.0 metres;
- (vi) A flat roof shall not be permitted above the 8.0 m exterior wall;
- (vii) Maximum Residential Building Depth: 21.5 metres;
- (viii) Maximum Number of Bedrooms: 11; and
- (ix) Minimum Private Amenity Area: 20 square metres per unit.

(By-Law Number 79-263 – 1979; 2019-84)

174. On the approximately 0.36 ha parcel of land located on the north side of Concession Street between Princess and Macdonnell Streets and designated C2.174 on a copy of Zoning Map Number 13 attached to and forming part of By-Law Number 80-22 as Schedule "A":

- (a) The permitted uses shall also include an office building containing a maximum gross leasable area of 1858.0m².
- (b) The permitted use listed in Section 174(a) shall be subject to the regulations for the C (Commercial) Zone, except that required on site parking spaces may be located in a front yard.

(By-Law Number 80-22 – 1980)

175. On the three parcels of land located on the north side of Counter Street and between Division Street and LeRoy Grant Drive and designated M.175 on a copy of Zoning Map Number 8 attached to and forming part of By-Law Number 80-42 as Schedule "A", all areas and facilities used for retail purposes as of the date of passing of this by-law shall be a permitted use. These areas may continue to be used for accessory retail uses.

(By-Law Number 80-42 – 1980)

176. On the approximately 0.60 ha parcel of land located on the southeast corner of river Street and Orchard Street and designated M7.176 on a copy of Zoning Map Number 17 attached to and forming part of By-Law Number 80-43 as Schedule "A":

- (a) The permitted uses shall also include:

- i. soap manufacturing;
- ii. chemical industries but excluding those which emit smoke or fumes obnoxious to humans or vegetation and excluding those with wastage materials unsuitable for a sewage treatment plant.

(By-Law Numbers 80-43 – 1980; 83-110 – 1983)

177. On the approximately 5.5 ha parcel of land located on the north side of Counter Street west of Sir John A. Macdonald Boulevard and designated M.177 on copies of Zoning Maps Nos. 9 and 10 attached to and forming part of By-Law Number 80-94 as Schedules "A" and "B" respectively, the permitted uses shall also include:

- (a) Banks
- (b) Radio and Television communication facilities
- (c) Offices
- (d) Printers
- (e) Automobile Service Centres
- (f) Dry Cleaners.

(By-Law Number 80-94 – 1980)

178. Within the area designated M7.178 on a copy of Zoning Map Number 15 which is attached to and forms part of By-Law Number 80-77 as Schedule "A", the permitted uses shall also include:

- (a) a pest control service and associated retail store;
- (b) a bottling plant for soft drinks and associated warehouse and associated retail facilities.

(By-Law Number 80-77 – 1980)

179. On the approximately 0.08 ha parcel of land located on the south side of Lower Union Street between Ontario Street and King Street and designated B.179 on a copy of Zoning Map Number 31 attached to and forming part of By-Law Number 80-115 as Schedule "A", the existing multiple family dwelling containing seven dwelling units shall be deemed to be a use of land conforming with the provisions of this by-law. No owner of this multiple family dwelling shall alter the building or permit the alteration of the building unless he applies to Council or the Committee of Adjustment and receives consent to make such alteration.

(By-Law Number 80-115 – 1980)

180. On the approximately 0.12 ha parcel of land located on the east side of King Street East between West Street and Lower Union Street and designated B.180 on a copy of Zoning Map Number 31 attached to and forming part of By-Law Number 80-115 as Schedule "A", the existing multiple family dwelling containing sixteen dwelling units shall be deemed to be a use of land conforming with the provisions of this by-law. No owner of this multiple family dwelling shall alter the building or permit alteration of the building unless he applies to Council or the Committee of Adjustment and receives consent to make such alteration.
(By-Law Number 80-115 – 1980)

181. On the approximately 0.59 ha parcel of land located on the west side of Ontario Street between West Street and Lower Union Street and designated B1.181 on a copy of Zoning Map Number 31 attached to and forming part of By-Law Number 80-115 as Schedule "A":

- i. The only permitted use shall be a multiple family dwelling containing up to 89 dwelling units and up to 144 bedrooms and accessory buildings thereto.
- ii. The Maximum Front Yard shall be 6.10m and the Minimum Front Yard shall be 3.05m.
- iii. The Minimum Rear Yard shall be 8.2m.
- iv. The Minimum number of required off-street parking spaces shall be 82.
- v. The maximum building height shall be 20.5m or 98.0m above mean sea level, whichever is the lesser. The building shall have a maximum of seven storeys.
- vi. The external dimensions of the main building shall not exceed 57.0m by 22.0m.
- vii. Accessory buildings are to be as per Section 5.17 except that the Maximum Lot Coverage shall not exceed 10.4 per cent of the lot area.
- viii. The provisions of By-Law Number 8499 as described in Sections 5.3(a)(ii)(2), 14.2, 14.3(a), 14.3(c), and 14.3 (h) shall not apply.

(By-Law Number 80-115 – 1980)

182. On the two parcels of land located on both sides of Eldon Hall Place at the southwest corner of Portsmouth Avenue and Bath Road and designated B1.182 on a copy of Zoning Map Number 21 attached to and forming part of By-Law Number 81-112 as Schedule "A":

- i. The only permitted use shall be one multiple family dwelling containing up to a maximum of 83 dwelling units located on the north side of Eldon Hall Place, and accessory buildings thereto.
- ii. The required off-street parking facilities for this use may be located on both sides of Eldon Hall Place within the B1.182 zone.
- ii. the provisions of By-Law Number 8499 as described in Sections 5.3 B (e), 14.2 and 14.3 (d) shall not apply.

(By-Law Number 81-112 – 1981)

183. Reserved.

184. Reserved.

185. On the approximately 3.4 ha parcel of land located at the south east corner of Bath Road and Portsmouth Avenue and designated B3.185 on Zoning Map Number 21 attached to and forming part of By-Law Number 2002-55 as Schedule “A”, the following provisions shall apply:

- i. The only permitted uses shall be two multiple family dwellings containing up to 125 dwelling units each, and one multiple family dwelling containing up to 150 dwelling units (subject to subsection (viii) below)
- ii. The 150 unit apartment building shall have a maximum height of eleven storeys.
- iii. A coffee shop shall be a permitted accessory use within the 150 dwelling unit multiple family dwelling.
- iv. The building within which the coffee shop is located shall not contain any show or display windows associated with the use which is visible from the exterior of the building.
- v. There shall be no commercial signs visible from the exterior of the building.
- vi. Access to the coffee shop shall not be directly from the external part of the building.
- vii. Vehicle access to the property shall be limited to Portsmouth Avenue and Bath Road. There shall be no vehicle access from the property to Van Order Drive.
- viii. The minimum required amenity space shall be 15,215 square metres.

- ix. The property Zoned 'B3.185' shall be subject to a Holding Provision which shall only be removed once all of the applicable requirements of Section 5.39 of the Zoning By-law have been complied with. Following removal of the Holding Provision the apartment building of up to 150 units permitted under subsection (i) above, will be a permitted use.

(By-Law Numbers 81-185 – 1981; 2002-55 – 2002)

186. Reserved.

187. On the approximately 9.7 ha parcel of land located on the west side of Division Street between Dalton Avenue and the Macdonald-Cartier Freeway (Highway Number 401) and designated as C2.187 on Zoning Maps Number 2 and 3, the permitted uses shall only be as follows:
- i. a shopping centre containing the following:
 - (1) a food store with a minimum gross leasable area of 3,251m².
 - (2) a department store with a maximum gross leasable area of 6,940m².
 - (3) additional retail, including offices with a combined maximum gross leasable area of 6,530m² provided that no one such retail store has a maximum gross leasable area exceeding 929m² which may include the following uses:
 - (A) Banks
 - (B) Bowling alleys, theatres, auditoriums
 - (C) Brewers retail store and liquor store
 - ii. Motels or hotels;
 - iii. Indoor and outdoor athletic and sports facilities;
 - iv. Municipal and publicly owned utility and government buildings or facilities and telephone exchange.

(By-Law Number 81-237(A) – 1981)

188. On the approximately 0.58 ha parcel of land located at the southwest corner of Division and Colborne Streets and designated C.188 on a copy of Zoning Map Number 19 attached to and forming part of By-Law Number 82-54 as Schedule "A":
- A.
 - i. libraries, art galleries and museums subject to the provisions for Zone A;
 - ii. churches, community halls and parish halls subject to the provisions for Zone B;
 - iii. multiple family dwellings containing three or four dwelling units subject to the provisions of Zone B;

- iv. multiple family dwellings containing five or more dwelling units;
- v. undertakers' establishments;
- vi. offices for, or in connection with, businesses or professions;
- vii. group homes; accessory buildings subject to the provisions of the zone regulating the main building as set forth herein;

(By-Law Number 82-54 – 1982)

- viii a wholesale silkscreen and sportswear business.

(By-Law Number 86-96 – 1986)

- B. The total floor area of all buildings on the site shall not exceed 2,800.0 square metres.

(By-Law Number 82-54 – 1982)

- 189. Repealed and superseded by Section 7 (Central Business System (C1)) Zone of By-Law Number 96-259.

(By-Law Numbers 82-88 – 1982; 96-259 – 1996)

- 190. Notwithstanding anything to the contrary contained in this by-law, any Place of Amusement legally in operation on the day of the passing of this by-law shall be considered to be a permitted use of land within the limits of the premises used and occupied on the day of the passing of the by-law.

(By-Law Number 82-197 – 1982)

- 191. On the approximately 0.075 ha parcel of land located on the east side of King Street East south of Lower Union Street and designated B.191 on a copy of Zoning Map Number 31 attached to and forming part of By-Law Number 82-196 as Schedule "A", the permitted uses shall also include professional offices for architects, engineers, accountants, and lawyers provided that these uses are confined within the wall of the existing coach house building.

(By-Law Numbers 82-196 – 1982; 83-110 – 1983)

- 192. On the three parcels of land located on both sides of Aberfoyle Road between Counter Street and Inverness Crescent, consisting of a total of approximately 4.24 ha, and designated A3.192 on a copy of Zoning Map Number 10 attached to and forming part of By-Law Number 84-110 as Schedule "A", notwithstanding

Section 9.3, Subsections (c), (e) and (f) of this by-law, the following regulations shall apply to single family dwellings:

(a) Minimum Lot Area

One Family Dwelling: 370.0m²

(b) Minimum Lot Width

One Family Dwelling – Interior Lot: 12.0m

One Family Dwelling – Corner Lot: 15.0m

(c) Minimum Side Yard – Corner Lots

On a corner lot the minimum side yard abutting a street shall be 4.8m.

(By-Law Numbers 82-223 – 1982; 84-110 – 1984)

193. On the approximately 1.1 ha parcel of land located on the south side of Elliot Avenue West of Douglas Avenue and designated A3.193 on a copy of Zoning Map Number 8 attached to and forming part of By-Law Number 83-108 as Schedule “A” the following regulations shall apply:

(i) Minimum Side Yard

Semi Detached Dwelling (total): 4.8m (2.4m each side except where the dwellings have attached garages, in which case there shall be a total of 2.4m side yard – 1.2m each side)

All Other Dwellings (total): 2.4m (1.2m minimum side yard)

However on a corner lot the minimum side yard abutting a street shall be 6.0m.

(ii) Minimum Lot Area

Single Family Dwelling: 370.0m²

(iii) Minimum Lot Width

Single Family Dwelling: 12.0m (except 18.0m for a corner lot)

Two Family Dwelling: 15.24m (except 18.288m for a corner lot)

- (iv) Notwithstanding Section 9.3(e) of this by-law, a semi-detached dwelling shall be permitted on Lot 4, Registered Plan Number 1866.

(By-Law Number 83-108 – 1983)

194. On the approximately 0.03 ha parcel of land located on the east side of Drayton Avenue north of Princess Street, Known municipally as 7 Drayton Avenue, and designated C.194 on a copy of Zoning Map Number 20 attached to and forming part of By-Law Number 83-107 as Schedule "A":

- (i) The minimum number of required off-street parking spaces shall be four (4).
- (ii) Any commercial floor space in addition to the ground floor area of the existing building and shop as of the date of the passing of this by-law shall be subject to the parking requirements set out in Section 5.3 of this by-law.

(By-Law Number 83-107 – 1983)

195. Reserved.

196. On the land and water located within the boundaries described by the following streets: River Street, Rideau Street, Bay Street as extended easterly, King Street as extended northerly, Place d'Armes, Ontario Street and the Harbour, including water lots lying east of the shoreline, containing approximately 27± hectares of land and approximately 17± hectares of water and land under water and designated IC.196 on copies of Zoning Maps 17 and 18 attached to and forming part of By-Law Number 84-31 as Schedules "A" and "B", the following regulations shall apply:

- (a) Permitted Uses

- i. All uses legally existing on the date of the passing of this by-law, provided no new construction is permitted other than an extension or enlargement containing not more than ten (10) per cent of the floor area of the use being extended or enlarged, and provided not more than one extension or enlargement of ten (10) per cent is permitted during the term of this by-law.
- ii. Any land which is unoccupied by a building on the date of the passing of this by-law shall be permitted the following outdoor uses:
- (aa) agricultural;
- (bb) parking lots;

(cc) outdoor sales and service.

(b) Regulations

All uses of land, buildings or structures shall be subject to the regulations of the By-Law Number 8499 zone within which they occur as follows:

- i. M2 Industrial – Section 25.3
- ii. M5 Waterfront Industrial – Section 28.3
- iii. M6 Industrial – Section 29.3
- iv. M7 Industrial – Section 30.3
- v. M7.176 Industrial – Section 30.3
- vi. M8 Fuel Storage and Light Industrial – Section 31.3
- vii. M8.111 Fuel Storage and Limited Light Industrial – Section 31.3
- viii. C Central Business District Commercial – Section 20.3
- ix. P.155 General Recreation Park – Sections 32.3 and 155
- x. OS3 Harbour Open Space – Section 37.2

(Note: This section to be in effect until June 19, 1985)

(By-Law Numbers 84-31 – 1984; 84-292 – 1984)

197. On the approximately 1.8 ha parcel of land located on the South side of Princess Street West of the Parkway and designated C2.197 on a Copy of Zoning Map Number 11 attached to and forming part of By-Law Number 83-204 as Schedule "A":

- (i) A buffer strip, with a minimum width of 6.1 metres as measured from the property line, shall be maintained along the westerly and southerly boundaries. No development shall be permitted within this buffer strip and no further dumping placing of fill shall be permitted.
- (ii) For the purpose of calculating the rear yard and side yard requirements only for any building or part thereof which is constructed on this property or on the adjacent land to the East Zoned C2 (Arterial) Commercial, that parcel of land containing approximately 0.01 ha and designated EPA (Environmental Protection Area) on Zoning Map Number 11 and described in Instrument Number 362739 as Registered in the Registry Division of Frontenac Number 13, shall be included in the said calculations. No buildings shall be permitted on the lands described in said Instrument Number 362739.
- (iii) The minimum elevation for any building openings shall be 76.6m geodetic.

(By-Law Numbers 83-294 – 1983; By-Law Number 92-346 – 1992)

198. Enacted by By-Law Number 84-68 – 1984.

Repealed by By-Law Number 87-390 - 1987

(By-Law Number 87-390 – 1987)

199. On the approximately 0.80 ha parcel of land located on the south side of Elliot Avenue between Douglas Avenue and Division Street (Block "J", Registered Plan Number 1656) and designated B2.199 on a copy of Zoning Map Number 8 attached to and forming part of By-Law Number 84-69 as Schedule "A":

- (i) The maximum permitted density shall be 42 dwelling units per net ha.
- (ii) Notwithstanding Section 15.3(k) of this By-Law, the maximum number of dwelling units per building shall be thirty-five (35).

(By-Law Number 84-69 – 1984)

200. On the approximately 0.086 ha parcel of land located on the east side of Alfred Street north of Princess Street, known municipally as 353-355 Alfred Street, and designated B3.200 on a copy of Zoning Map Number 19, attached hereto and forming part of By-Law Number 84-176 as Schedule "A", the permitted uses shall also include professional offices provided that these offices are confined within the walls of the existing building.

(By-Law Number 84-176 – 1984)

201. On the approximately 0.04 ha parcel of land located on the east side of Victoria Street north of Princess Street, known municipally as 577 Victoria Street and designated C.201 on a copy of Zoning Map Number 19 attached to and forming part of By-Law Number 84-204 as Schedule "A" the only permitted uses shall be those which are in exclusive association with or accessory to the commercial use on the property located immediately to the south, known municipally as 647 Princess Street.

(By-Law Number 84-204 – 1984)

202. On the approximately 3.17 ha parcel of land located on the north side of Bath Road between the two extensions of Elmwood Road, known municipally as 217-247 Bath Road, (Bowling Green Apartments) designated B3.202 on a copy of Zoning Map Number 21 attached to and forming part of By-Law Number 85-11 as Schedule "A", the following regulations shall apply:

- (i) Notwithstanding Section 16.3 (f) of this by-law, the maximum number of permitted dwelling units shall be 385.
- (ii) Notwithstanding Section 16.3 (c) of this by-law, the maximum percentage of lot occupancy shall be 102.9 per cent.
- (iii) Notwithstanding the provisions of Section 16.3 of this by-law, the minimum required rear yard shall be 20 metres.

(By-Law Number 85-11 – 1985)

203. On the approximately 0.91 ha parcel of land bounded by Ordnance Street on the south, Sydenham Street on the west, Bay Street on the north and Montreal Street on the east, known municipally as 115 Ordnance Street (Providence Manor) and designated A.203 on a copy of Zoning Map Number 18 attached to and forming part of By-Law Number 84-254 as Schedule "A":

- (i) The minimum number of required off-street parking facilities shall be fifteen (15) spaces.
- (ii) Notwithstanding the provisions of Section 5.3B(b)ii of this by-law, additional required off-street parking facilities may be located on a lot not more than 200.0 metres from the A.203 Zone.
- (iii) Notwithstanding the provisions of Section 6.3(a) of this by-law, the maximum permitted building height shall be 15.0 metres or five (5) storeys.
- (iv) Notwithstanding the provisions of Section 6.3(f) of this by-law, the maximum percentage of lot coverage, excluding the centre courtyard structure, shall be 43 per cent.
- (v) The total floor area of all buildings on the site shall not exceed 17,000.0 square metres.
- (vi) The provisions of this by-law described in Sections 6.3(b) (Minimum Front Yard), 6.3(c) (Side Yards), 6.3(d) (Rear Yards) and 6.3(e) (Courts) shall not apply.

(By-Law Number 84-254 – 1984)

204. On the approximately 2.87 ha parcel of land located on the East side of Montreal Street South of Elliot Avenue and designated B3.204 on a copy of Zoning Map Number 15 and Number 16 attached to and forming part of By-Law Number 85-10 as Schedule "A" and Schedule "B", the following regulations shall apply:

- (i) The maximum number of permitted dwelling units shall be 216;
- (ii) Notwithstanding the provisions of Section 16.3(f) of this by-law, the maximum permitted density shall be 75.3 dwelling units per hectare.

(By-Law Number 85-10 – 1985)

205. Reserved.

206. On the approximately 1.53 ha parcel of land located on the East side of King Street East North of Place D'Armes and West of Ontario Street, designated as B1.206 on a copy of Zoning Map Number 18 attached to and forming part of By-Law Number 85-110 as Schedule "B", the maximum number of permitted dwelling units shall be 88 and the maximum permitted density shall be 58 dwelling units per hectare.

(By-Law Number 85-110 – 1985)

207. On those parcels of land, located east of Rideau Street between Bay Street and River Street, designated as B1.207 on a copy of Zoning Map Number 18 attached to and forming part of By-Law Number 85-110 as Schedule "B", the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 14.2 of this by-law, the only permitted uses shall be:
 - (a) multiple family dwellings;
 - (b) group dwellings, row dwellings;
 - (c) senior citizen apartments;
 - (d) group homes;
 - (e) community halls;
 - (f) bachelor apartments;
 - (g) accessory buildings to any use permitted in the B1.207 zones;
 - (h) churches and church halls.

- (i) municipally operated home for the aged complex as described in Section 207, Subsection (iv).

(By-Law Number 88-267 – 1988)

- (ii) Notwithstanding Sections 14.3(d) and 14.3(h) of this by-law, the maximum permitted density shall be 50 dwelling units per net hectare, subject to the provisions of Subsection (iii) below.
- (iii) Notwithstanding Subsection (ii) above, the maximum permitted density may be increased up to 62.5 dwelling units per net hectare pursuant to the provisions of Section 36 of the *Planning Act*, 1983 on the following basis:
 - (a) Assisted Housing: subject to (iii) (d) below, one unit for each unit of assisted housing provided up to a maximum increase of 15 per cent of the maximum density provided for in Subsection (ii) above.
 - (b) Parkland: subject to (iii) (d) below, a density increase equal to the number of dwelling units which could have been constructed on any lands dedicated as public parkland in excess of the minimum required parkland contribution up to a maximum of 15 per cent of the maximum density provided for in Subsection (ii) above.
 - (c) New Road Allowance: subject to (iii) (d) below, a density increase equal to the number of dwelling units which could have been constructed on lands provided for a new public road allowance up to a maximum of 15 per cent of the maximum density provided for in Subsection (ii) above.
 - (d) However, in no instance shall the total increase in density provided for in Subsections (iii) (a), (iii) (b) and (iii) (c) exceed 25% of the maximum permitted density provided for in Subsection (ii) above.
 - (e) An agreement being entered into between the property owner and the City of Kingston which specifies the facilities, services or matters to be provided in exchange for an increase in density;
 - (f) Any additional dwelling units permitted as an increase in density pursuant to (iii) (a), (b), (c) and (d) above shall be subject to all applicable regulations of this By-Law.

(By-Law Number 85-110 – 1985)

- (iv) (a) On the approximately 3.34 ha parcel of land located at the northeast corner of Rideau Street and North Street, a municipally operated home for the aged complex shall be permitted. This complex shall include a 170 bed home for the aged and a 70 bed senior citizen residence and may include accessory commercial type amenities to a maximum of 1000 square metres floor area designed to provide for the day-to-day needs of the residents and staff. Also permitted shall be an auditorium primarily for use by residents and staff.

(By-Law Number 88-267 – 1988)

- (b) Notwithstanding Section 5.3B(e), parking may be located to within not less than 7.5 metres of any lot boundary.

(By-Law Number 88-267 – 1988)

208. Repealed and superseded by Section 9 (Harbour (HR)) Zone of By-Law Number 96-259.

(By-Law Numbers 85-110 – 1985; 96-259 – 1996)

209. Repealed by By-Law Number 2001-233.

(By-Law Numbers 85-110 – 1985; 2001-233 – 2001)

210. B3.210 (Deleted).

(By-Law Numbers 85-106 – 1985; 2001-195 – 2001; 2015-129)

211. On the approximately 3.72 ha parcel of land located at the southwest corner of Queen Mary Road and Greenview Drive, and designated B3.211 on a copy of Zoning Map Number 22, Zoning Map Number 23 and Zoning Map Number 24 attached to forming part of By-Law Number 85-58 as Schedules "A", "B" and "C" respectively:

- (i) Notwithstanding Section 16.3(f) of this by-law, the maximum permitted density shall be 87.1 dwelling units per net hectare.
- (ii) The maximum number of permitted dwelling units shall be 324.

(By-Law Number 85-180 – 1985)

212. On the approximately 0.85 ha parcel of land located at the southwest corner of Montreal Street and Cassidy Street, and designated M2.212 on a copy of Zoning Map Number 15 attached to and forming part of By-Law Number 85-153 as Schedule "A", the permitted uses shall also include a medical clinic facility and ancillary services, such as a pharmacy, dentists, laboratories.
(By-Law Number 85-153 – 1985)
213. Section 213 repealed by By-Law 2013-17. On the approximately 0.18 ha parcel of land located at the northwest corner of Montreal and Joseph Streets, and designated M7.213 on a copy of Zoning Map Number 17 attached to and forming part of By-Law Number 85-196 as Schedule "A", the permitted uses shall also include offices, a martial arts centre and one residential dwelling unit established in association with the martial arts centre, provided that all of these uses are confined within the walls of the existing building.
(By-Law Numbers 85-196 – 1985; 2013-17)
214. On the approximately 0.134 ha parcel of land located at the southeast corner of Concession Street and Alfred Street,, and designated A.214 on a copy of Zoning Map Number 19 attached to and forming part of By-Law Number 86-95 as Schedule "A", the following regulations shall apply:
- (a) Notwithstanding the provisions of Section 6.2 of this By-Law, the permitted uses shall also include neighbourhood stores and services, provided that these uses occupy the ground floor of the building only and contain no more than 430 square metres of floor space;
 - (b) The maximum number of permitted dwelling units shall be six (6), containing a total floor space of not more than 430 square metres;
 - (c) Notwithstanding the provisions of Section 5.3 of this by-law, the minimum number of required off-street parking spaces shall be nineteen (19);
 - (d) Notwithstanding the provisions of Section 5.27 of this by-law, the minimum required amenity area shall be 96.8 square metres;
 - (e) Notwithstanding the provisions of Section 6.3(b) of this by-law, the minimum required front yard shall be 3.86 metres;
 - (f) Notwithstanding the provisions of Section 6.3(d) of this by-law, the minimum required rear yard shall be 0.6 metres;
 - (g) Notwithstanding the provisions of Section 6.3(c) of this by-law, the minimum required side yard of the West side of the property shall be 3.86 metres.

(By-Law Number 86-95 – 1986)

215. On the approximately 2.0 ha parcel of land located on the West side of Montreal Street between Railway Street and Hickson Avenue, known municipally as 734 Montreal Street and designated 'M6.215' on a copy of Zoning Map Number 15 attached to and forming part of By-Law Number 95-105 as Schedule "A", the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 29.2(c) of this by-law, the permitted uses shall also include:
 - (a) buildings and facilities used by the Royal Canadian Legion Branch 560 for Legion and community functions and events; and
 - (b) public or private parks and recreational facilities.

(By-Law Numbers 86-117 – 1986; 95-105 – 1995)

216. On the approximately 3.74 ha parcel of land located at 1102, 1106 and 1110 King Street West and commonly known as the Kingston Grain Elevator and designated as B3.216 on a copy of Zoning Map Number 27 attached to and forming part of By-Law Number 2007-176 as Schedule "A", the following regulations shall apply:

- (a) The permitted uses as listed in Section 16.2 shall be modified as follows:
 - i. there shall be a maximum of three buildings containing up to a maximum of 343 dwelling units and separate free standing buildings containing up to 38 townhouse units;

(By-law Numbers 8499; 2007-176)
 - ii. That notwithstanding Section 16.2 to the contrary a retirement home use, as defined herein, shall be a permitted use;
 - iii. the establishment of accessory uses complementary to a retirement home use, including but not limited to a hairdresser, pharmacy and small scale retail use to a maximum of 10 per cent of the gross floor area. The accessory uses shall be exclusive to the retirement home residents and employees; and
 - iv. also permitted shall be the on-shore facilities necessary for a marina including associated commercial and restaurant facilities, including a retail convenience store for primary use by residents as well as customers of the marina, all to a maximum floor area of 1000 square metres.

- (b) Notwithstanding Section 16.3 to the contrary, the following regulations shall apply:
- i. the front yard regulations shall not apply;
 - ii. the side yard regulations shall not apply;
 - iii. the rear yard regulations shall not apply;
 - iv. the maximum lot occupancy shall be 210 per cent with the lands within the B3.216 zone shall be considered as one lot for zoning purposes;
 - v. the density provisions shall not apply;
 - vi. permit a dwelling unit equivalency ratio of 2 retirement home suites, as defined herein, to one dwelling unit (2:1 units) for a retirement home use to a maximum 154 retirement home suites; and
 - vi. Notwithstanding Section 5.3 to the contrary, a reduced parking ratio of 0.60 parking spaces per retirement home suite shall apply to the retirement home use.
 - vii. Notwithstanding Section 5.3 to the contrary, commercial uses, excluding the accessory retirement home uses but including the marina use, shall be supplied at the rate of one parking space per each 18.5 square meters of floor area.

c) Retirement Lodge or Retirement Home Use:

A residence providing accommodation primarily for retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided and common lounges, recreation rooms and medical care facilities may also be provided for the exclusive use of the residents.

d) Retirement Home Suite:

Shall be defined as a habitable space designed for living and sleeping consisting of studios, one or two bedrooms, private bathroom and separate entrance from a common hall, and a kitchenette which may include convenience facilities such as a bar fridge and a microwave oven, but without full cooking facilities.

(By-Law Numbers 87-233 – 1987; 2007-176)

217. On the approximately 2.31 ha of water located on the south side of King Street West lying immediately west of the property commonly known as the Kingston Grain Elevator and designated as P2.217 as shown on a copy of Zoning Map Number 27 attached to and forming part of By-Law Number 86-144 as Schedule "A", the permitted uses shall also include the water based facilities necessary for the operation of a marina.

(By-Law Numbers 86-144 – 1986; 87-233 – 1987)

218. **299-303 Concession Street**

Notwithstanding the provisions of Sections 5.3 or 22 hereof to the contrary, the lands designated 'C2.218' on Schedule 'A' hereto, the following regulations shall apply:

- a) Permitted uses shall also include a medical or dental office or clinic;
- b) There shall be no maximum floor area requirement for office uses; and
- c) The minimum number of required parking spaces shall be 117, of which a minimum of 4 parking spaces shall be barrier-free."

(By-Law Numbers 86-198 – 1986; 2011-125; 2017-230)

219. On the 0.12 ha parcel of land located at the southwest corner of Bagot Street at John Street a row dwelling containing a maximum of eight dwelling units shall be a permitted use of land subject to the following exceptions to the regulations for Zone B:

- (i) Permitted Uses – A row dwelling containing up to eight dwelling units.
- (ii) Front Yard – Bagot Street 3.0m minimum;
– John Street 4.57m minimum;
- (iii) Amenity Area – 524 m minimum.

(By-Law Number 86-213 – 1986)

220. For the parcels of land containing 19.5 ha located on the northeast and northwest sides of Sir John A. Macdonald-Cartier Freeway and designated 'M9.220' on a copy of Zoning Map Number 1 attached to and forming part of By-Law Number 93-24 as Schedule "A" the following regulations shall apply:

- (a) Notwithstanding Section 31B.2(a), the maximum height shall be 25.0m;
- (b) Notwithstanding Section 31B.2(b), the minimum lot area shall be 8000 square metres;

- (c) Notwithstanding Section 31B.2(g), the minimum lot occupancy shall be 40 per cent.

(By-Law Number 93-24 – 1993)

221. Reserved

222. Reserved

223. On the approximately 0.64 ha parcel of land located on the west side of Montreal Street north of Hickson Avenue and designated M6.223 on a copy of Zoning Map Number 15 attached to and forming part of By-Law Number 87-14 as Schedule "A", the following regulations shall apply:

- (i) the permitted uses shall also include a restaurant within the limits of the existing roofed building area and adjacent outside areas;
- (ii) there shall be no expansion or enlargement of the existing buildings.

(By-Law Number 87-14 – 1987)

224. On those parcels of land located north of Counter Street, west of Sir John A. Macdonald Boulevard and its extension and south of the Macdonald-Cartier Freeway (Highway Number 401) as shown on copies of Zoning Map Number 1 and Zoning Map Number 10 attached to and forming part of By-Law Number 87-69 as Schedules "A" and "B", and Zoning Map Number 1 attached to and forming part of By-Law Number 89-74 as Schedule "A", there shall be no outside storage or storage tanks permitted.

(By-Law Numbers 87-69 – 1987; 89-74 – 1989)

225. 722, 730 and 766 John Counter Boulevard

Notwithstanding any provisions of Section 14 hereof to the contrary, on the lands zoned 'B1.225-H' on Schedule "A" attached hereto, the following provisions shall apply to the entire area zoned 'B1.225-H':

- a) Maximum Number of Residential Units: 214
- b) The limestone building as it exists on the date of the passing of this by-law and known municipally as 730 John Counter Boulevard may only be used as a commercial school, provided that no such operation shall emit any noise, vibration, glare, fumes, odours, etcetera, which cause a nuisance or inconvenience within or outside of the premise. Subject to the removal of the holding provision, the existing limestone building may only be used as a single family dwelling or a day nursery but not a commercial school. This

single family dwelling unit shall be included as part of the maximum number of permitted residential units.

- c) Minimum Off-Street Parking for Commercial School Use: 15 spaces
- d) Minimum Setback from the Adjacent Rail Line: 30 metres
- e) The metal clad accessory building existing on the southwest corner of the site as of the date of the passing of this by-law shall be deemed to comply with the regulations of this Zoning By-Law. In the event that this existing accessory building is removed, any new accessory building or structure shall be subject to the regulations of Section 5 of this by-law.
- f) Parking shall be no closer to any street line than the nearest wall of the building to the street. The existing parking, as of the date of the passing of this by-law, along Maple Street shall be deemed to comply with the regulations of this Zoning By-Law.
- g) The '-H' Symbol shall only be removed once the following conditions have been complied with:
 - (i) Submission of a Record of Site Condition to the satisfaction of the City is required for any conversion of a commercial school to a residential or day nursery use;
 - (ii) All applicable Municipal and Agency requirements have been complied with;
 - (iii) All necessary Agreements, including the Site Plan Control Agreement, have been registered on title; and,
 - (iv) City Council has passed a further amendment to the Zoning By-Law to remove the '-H' Symbol pursuant to the *Planning Act*.

(By-Law Numbers 87-97 – 1987; 88-17; 2010-230)

226. On the lands municipally known as 1173 and 1177 Montreal Street and located on the East side of Montreal Street south of Greer Street, and designated B1.226 on the copy of Zoning Map Number 7 attached to and forming part of By-Law Number 2009-44 as Schedule "A", the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 14.3(h) of this by-law, the maximum permitted density shall be 27.0 du/ha;

- (ii) Notwithstanding the provisions of Section 14.2 of this by-law the only permitted use shall be group dwellings or row dwellings;
- (iii) Notwithstanding the provisions of Section 14.3 of this by-law, all dwellings shall be located a minimum of 30 metres from the CN railway right-of-way.

(By-Law Numbers 8499; 87-156; 2009-44)

227. Reserved.

228. On the approximately 221 square metre parcel of land located at the Southwest corner of Ontario and Earl Streets, and designated B.228 on a copy of zoning Map Number 31 attached to and forming part of By-Law Number 87-206 as Schedule "A", notwithstanding Section 13.3, the following regulations shall apply for construction of a four storey dwelling unit row house only:

- i) Minimum Front Yard: No Requirement
- ii) Minimum Side Yard: No Requirement
- iii) Minimum Rear Yard: No Requirement
- iv) Corner Lots: Front Yard: No Requirement
- v) Maximum Lot Coverage: 95 per cent
- vi) Maximum Density: 135 du/ha
- vii) Play Space and Amenity Area: Total 54 square metres
- viii) Parking: 3 Interior Spaces

(By-Law Number 87-206 – 1987)

229. On the approximately 0.024 ha parcel of land located at 50 Earl Street (South side), and designated B.229 on a copy of Zoning Map Number 31 attached hereto and forming part of By-Law Number 87-223 as Schedule "A", the following regulations shall apply:

- (i) Notwithstanding any provision of Section 13 to the contrary, two dwelling units shall be permitted within the existing dwelling located thereon.

(By-Law Number 87-223 – 1987)

230. On the approximately 0.267 ha parcel of land located east of Rideau Street and South of the extension of North Street and designated M5.230 on a copy of Zoning Map Number 18 attached to and forming part of By-Law Number 87-155 as Schedule "A", the maximum permissible building height shall be 13.7 metres.

(By-Law Number 87-155 – 1987)

231. Reserved
232. Reserved
233. Reserved
234. On the parcel of land located on the south side of King Street West, known municipally as 1000 King Street West and comprising the easterly 1.35 ha of the property commonly known as the Richardson Dock, and designated 'B1.234' on Zoning Maps Number 27 and 28 attached to and forming part of By-Law Number 2001-48 as Schedules "A" and "B", the following regulations shall apply:

- (i) Notwithstanding Section 14.3 (d) of this By-Law, one (1) multiple family residential building containing a maximum of ninety-one (91) residential units shall be permitted.

(By-Law Number 2001-48 – 2001)

235. On the approximately 0.425 ha parcel of land located on the north side of Counter Street opposite Indian Road, and designated as M.235 on a copy of Zoning Map Number 10 attached to and forming part of By-Law 88-52 as Schedule "A", the permitted uses shall also include an office building for the Kingston Construction Association.

(By-Law Number 88-52 – 1988)

236. On the approximately 2.99 ha parcel of land located on the East side of Montreal Street opposite the easterly ends of Weller Avenue and Drennan Street, and designated as B1.236 on a copy of Zoning Map Number 7 attached to and forming part of By-Law 88-188, as Schedule "A", the following regulations shall apply:

- (a) The maximum density shall not be over 55 dwelling units per hectare.
- (b) Neighbourhood convenience retail commercial uses shall also be permitted to a maximum 150 square metres of floor space.
- (c) In addition to (b) above, a maximum of 350 square metres of neighbourhood service type uses shall be permitted, which may include doctors' offices, retailing of medical and pharmaceutical supplies and a restaurant, not including take-out or drive-in service.
- (d) Maximum height shall not be over 10 metres except that one residential dwelling containing not more than 1,500 square metres on any of the upper three floors may be constructed to a height of not more than 19m above the elevation of Montreal Street at its nearest proximity to the said dwelling, and one further residential dwelling containing not more than 1,000 square metres on any floor above the third may be constructed to a height of 13 metres.

- (e) A minimum area of 2,000 square metres shall be exclusively allocated to areas for recreation/play space. These areas may be divided into not more than three parcels provided at least one has a minimum area of 1,000 square metres.
- (f) No dwelling shall be located less than 30 metres from the boundary of the railway right of way.

(By-Law Number 88-188 – 1988)

237. On the approximately 0.75 ha parcel of land on the East side of Division Street immediately south of the C.N.R. main line, the permitted uses shall also include:

- (i) furniture and floor or wall covering business;
- (ii) machine and tool rental and accessory sale business.

(By-Law Number 88-87 – 1988)

238. Reserved.

239. Reserved.

240. On the approximately 0.83 hectare parcel of land located on the west side of Harvey Street between Hickson Avenue and Elliot Avenue, known municipally as 62-80 Harvey Street, and designated M2.240 on a copy of zoning map Number 15 attached to and forming part of By-Law Number 89-31 as Schedule "A", the permitted uses shall also include:

- (i) a machine and tool rental business and its accessory uses, including the sale of rental related supplies, the sale of outdoor power equipment and electrical power equipment, the sale of industrial contractors' equipment and the wholesale of a variety of products associated with the Rental operation.

(By-Law Number 89-31 – 1989)

241. Reserved.

242. Reserved.

243. On the approximately 0.035 ha parcel of land located on the west side of Nelson Street South of Princess Street, known municipally as 182 Nelson Street, and designated 'A.243' on Zoning Map 19 of By-Law Number 8499, the following regulations shall apply:
- a) Notwithstanding the provisions of Section 6.2 of this by-law the permitted uses shall also include professional offices;
 - b) The professional office use shall be restricted to the ground floor only of the building;
 - c) The maximum permitted building depth shall be 16.95 metres;
 - d) The aggregate side yard for the building on this property shall be 3.0 metres;
 - e) The maximum ground floor area of the building on this property shall be 112.6 square metres;
 - f) The second floor of the building shall be used for one (1) residential dwelling unit;
 - g) The minimum number of required off-street parking spaces shall be four (4) for the non-residential use on the site, and one (1) space for the residential use, which space shall be provided within 60 metres of the property. In the event that the ground floor is used for a professional office other than a chiropractic clinic, the combined parking requirements for both floors shall be four (4) parking spaces instead of the five (5) stipulated above.
 - h) Access to the required off street parking spaces shall be permitted by a single combined entrance / exit lane.

(By-Law Numbers 8499; 90-330; O.M.B. Order Dated Dec. 18, 1990; 2003-198)

244. 221 Concession Street

Notwithstanding the provisions of Section 22 and Section 5 hereof to the contrary, the lands designated 'C2.244' on Schedule "A" hereto, the following provisions shall apply:

- (a) Permitted uses on the lands designated 'C2.244' shall be limited to the following:
- (i) Glass installation facility, excluding automotive glass installation;
 - (ii) Commercial cleaning establishment, including offices and storage and sale of cleaning supplies;
 - (iii) Neighbourhood commercial uses providing a range of convenience retail and service uses, including:
 - Convenience store;
 - Food store of less than 223 square metres;
 - Laundromat;
 - Drop off / pick up drycleaners;
 - Video store;
 - Take-out restaurant;
 - Personal services shop (for example, hairdresser, barber, esthetician, etcetera);
 - Bakery or Bake Shop;
 - Florist;
 - Copy centre;
 - Consumer service and repair shop (for example small appliance and computer repair service, etcetera).
- (b) Minimum Front Yard: 9.5 metres
- (c) Minimum Side Yard: zero
- (d) Minimum Rear Yard: zero
- (e) Maximum Lot Occupancy: 107 per cent
- (f) Minimum Lot Depth: 28 metres
- (g) Minimum Parking Spaces:

- (i) Glass installation facility, excluding automotive glass installation:
3 Parking Spaces
 - (ii) Commercial cleaning establishment, including offices and storage and sale of cleaning supplies:
3 Parking Spaces
 - (iii) All other uses shall be as per Section 5.3 of this by-law unless the holding symbol is removed, in whole or in part, in which case the minimum number of parking spaces shall be three for the respective uses.
- (h) ‘-H’ Holding Zone Provisions:
- (i) The “H” Holding provision applies to the following neighborhood commercial uses separately or in combination:

Convenience store;

Food store of less than 223 square metres;

Laundromat;

Drop off / pick up drycleaners;

Video store;

Take-out restaurant;

Personal services shop (for example hairdresser, barber, esthetician, etcetera);

Bakery or Bake Shop;

Florist;

Copy centre;

Consumer service and repair shop (for example small appliance and computer repair service, etcetera)
 - (ii) The “H” Holding provision may be removed for any one of the above listed uses or any combination of the above uses at such time as a Parking Study, prepared by a qualified person as defined

by the City of Kingston, is completed to the satisfaction of the City of Kingston, justifying a reduction in the Minimum Parking Space requirement to (3) three parking spaces for which the application for the holding provision is applied for.

The "H" Holding Zone provision will only be removed for the specified use(s) for which the parking study is applicable. All other listed uses will remain subject to the holding provision. Separate parking studies must be submitted for all subsequent requests to remove the holding provision to permit additional listed uses.

(By-Law Numbers 8499; 89-75 – 1989; 2015-73)

245. Reserved

246. Repealed and superseded by Section 7.3.2 (Neighbourhood Fringe Commercial (C1-2)) Zone of By-Law Number 96-259.

(By-Law Numbers 8499; 89-198; 96-259)

247. Reserved

248. Reseved

249. (a) Notwithstanding the provisions of Section 16.2, the only permitted use shall be a senior citizens apartment containing not more than thirty dwelling units;

(b) Notwithstanding the provisions of Section 5.3B (d), parking for not more than eight vehicles may be located within not less than two metres from the street line.

(By-Law Numbers 89-319 – 1989)

250. Repealed and superseded by Section 7.3.11 (163 Ontario Street (C1-11)) Zone of By-Law Number 96-259.

(By-Law Numbers 90-107 – 1993; 96-259 – 1996)

251. Reserved

252. On the approximately 0.06 ha parcel of land located on the east side of Yonge Street south of King Street West, known municipally as 97, 99, 101 Yonge Street, and designated A5.252 on a copy of Zoning Map Number 29 attached to and forming part of By-Law Number 90-135 as Schedule "A", the following regulations shall apply:

- (a) Notwithstanding Section 11.2 of this by-law, the permitted uses shall also include a three (3) unit row dwelling and associated parking spaces;

- (b) Notwithstanding Section 11.3 of this by-law, the existing three (3) unit row dwelling shall be deemed to be conforming with respect to yard requirements, lot area, lot width and parking.

(By-Law Number 90-135 – 1990)

253. Reserved

254. Reserved

255. Reserved

256. Reserved

257. On the approximately 0.11 ha parcel of land located on the northeast corner of Princess Street and Indian Road, and known municipally as 1335 Princess Street, and designated 'C2.257' on a copy of Zoning Map Number 12 attached to and forming part of By-Law Number 94-48 as Schedule "A", the following regulations shall apply:

- (a) In addition to the uses permitted in the 'C2' Zone, Section 22.2, one (1) dwelling unit shall be permitted. A maximum of one (1) dwelling unit shall be permitted provided it is located within the walls of the existing building on the property on the date of the passing of the by-law;
- (b) Notwithstanding the provisions of Sections 22.3(h) and 22.3(i) of this by-law, there shall be a minimum of six (6) off-street parking spaces provided for use by both the commercial office and one (1) residential unit;
- (c) The existing building shall be deemed to be in conformity with the regulations of the 'C2' Zone;
- (d) In the event that the existing building on site is removed or added to, any new building and the addition shall be subject to the regulations of Section 22.3 of this by-law.

(By-Law Numbers 8499; 90-270; 94-48)

258. Repealed and superseded by Section 7 (Central Business System (C1)) Zone of By-Law Number 96-259.

(By-Law Numbers 8499; 91-20; 96-259)

259. Reserved

260. On the approximately 4.2 hectare parcel of land located on the north side of Princess Street, east of Sir John A. MacDonald Boulevard, and designated 'C.260' on Zoning Map Number 13 attached to and forming part of 2002-207 as Schedule "A", the following provisions shall apply:

- i. Notwithstanding the provisions of Section 20.3(a), the maximum building height shall be six (6) storeys;
- ii. Notwithstanding the provisions of Section 20.3(b)(v), the maximum lot coverage shall be fifty (50) per cent and the minimum front yard on Princess Street shall be 4.5 metres;
- iii. The entire ground floor of all buildings shall be devoted to commercial uses as permitted by this by-law, and any permitted residential uses shall be limited to the upper floors;
- iv. The provisions of Section 20.3(b)(vii) shall not be applicable;
- v. Notwithstanding the provisions of Section 5.3 of this by-law all required residential parking shall be located on-site in a parking garage or structure;
- vi. Notwithstanding the provisions of Section 5.4 (a)(ii) of this by-law, Office Buildings located on the lands zoned 'C.260' shall not require off street loading facilities."
- vii. For the purpose of interpreting the provisions of the 'C.260' Zone the front yard shall be interpreted as the yard abutting the Princess Street frontage of the property.

(By-Law Numbers 8499; 2002-207)

261. Repealed and superseded by Section 7.3.2 (Neighbourhood Fringe Commercial (C1-2)) Zone of By-Law Number 96-259.

(By-Law Numbers 8499; 91-248; 96-259)

262. **824 John Counter Boulevard**

On the approximately 0.453 hectare parcel of land located on the south side of John Counter Boulevard between Elliott Avenue and Maple Street, known municipally as 824 John Counter Boulevard and designated M2.262 on a copy of

Zoning Map Number 15 attached to and forming part of By-Law Number 91-321 as Schedule "A", the following regulations shall apply:

- i. Notwithstanding the provisions of Sections 25.2 of this by-law, the permitted uses shall also include a community hall for community functions and events, a union hall and office use.

(By-Law Numbers 8499; 91-321; 2014-108)

263. On the lands located within the block bounded by Bay Street, Rideau Street, North Street and the old railway right-of-way and designated 'B1.263' on a copy of Zoning Map Number 18 attached to and forming part of By-Law Numbers 93-203 and 94-330, the following regulations shall apply:

(By-Law Numbers 8499; 93-203; 94-330)

- (i) The only permitted uses shall be:
 - (a) row dwellings containing not more than thirty-three (33) dwelling units; including the three (3) accessory apartments located in three of the townhouse units along Bay Street;
 - (b) accessory buildings to any use permitted in the 'B1.263' zone.
- (ii) The maximum building height, measured from Rideau Street, Bay Street and North Street adjacent to the site, shall be three (3) storeys.
- (iii) The minimum setback requirements shall be as follows:
 - (a) For the townhouses fronting onto North Street:

Minimum Front Yard – 6.0m
Minimum Rear Yard – 6.0m
Minimum Side Yard (adjacent to Wellington Street) – 4.5m
 - (b) For the townhouses fronting onto Bay Street:

Minimum Front Yard: - 7.5m
Minimum Rear Yard – 4.5m
Minimum Side Yard (adjacent to Wellington Street) – 4.5m
 - (c) For the townhouses fronting onto Rideau Street:

Minimum Front Yard – 7.5m
Minimum Rear Yard (northerly section of building) – 5.72m

Minimum Side Yard – Adjacent to Bay Street – 5.73m

– Adjacent to North Street – 5.75m

(By-Law Numbers 8499; 92-335; 94-330; 98-195)

264. On the lands located within the block bounded by Bay Street, Rideau Street, North Street and the old railway right-of-way and designated 'B1.264' on a copy of Zoning Map Number 18 attached to and forming part of By-Law Number 94-330 as Schedule "A", the following regulations shall apply:

- (i) The only permitted uses shall be:
 - (a) multiple family dwellings containing not more than eighty-five (85) dwelling units;
 - (b) accessory buildings to any use permitted in the 'B1.264' zone.
- (ii) The maximum building height, measured from Wellington Street adjacent to the site, shall be seven (7) storeys.
- (iii) Notwithstanding the provisions of Section 14.3 (a) of this by-law, any multiple family dwelling constructed within the 'B1.264' Zone shall be located 7.5 metres from Wellington Street.
 - i. Notwithstanding the provisions of Section 14.3 (b) of this by-law, any multiple family dwelling constructed within the 'B1.264' Zone shall be subject to the following minimum side yard setbacks:
 - South Side: 26.5 metres;
 - North Side: 43.5 metres
- (vi) The external dimensions for any multiple family dwelling constructed within the 'B1.264' Zone, measured from building corner to building corner, shall not exceed 70.8 metres in length and 22.2 metres in width.

(By-Law Numbers 8499; 92-77; 92-335; 94-330; 98-195; 99-117)

265. On the approximately 1.09 ha parcel of land located on the north side of Union Street between Alfred Street and University Avenue, and designated 'E.265' on a copy of Zoning Map Number 30 attached to and forming part of By-Law Number 92-136 as Schedule "A", the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 17.3(a) of this by-law, the minimum setback requirements for the proposed library building shall be as follows:
- From Union Street: 6.79m
- From Alfred Street: 0.00m
- From University Avenue: 0.00m
- Rear Yard: 23.0m, which shall be measured between the rear wall of the library and the property line, notwithstanding any other structures located in the rear yard area.
- (ii) The maximum library building height, measured to the top of the mechanical shaft on Alfred Street, shall be 31.0m.
- (iii) Notwithstanding the provisions of Section 17.2 of this by-law, a six (6) unit row dwelling shall be permitted at the northwest corner of the property subject to the following regulations:
- (a) the minimum setback from Alfred Street shall be 2.4m;
 - (b) the minimum sideyard setback on the north side of the dwelling shall be 2.0m;
 - (c) a minimum of six (6) off-street parking spaces shall be provided in accordance with the provisions of Section 5.3 of this by-law.
- (iv) Notwithstanding the provisions of Section 17 of this by-law, the existing three (3) unit dwelling located at 174 University Avenue and the existing two (2) unit dwelling located at 176 University Avenue shall be deemed to be a use of land and building conforming with the provisions of this by-law. No extension, expansion or structural alteration of any kind which does not conform with the regulations set out in Section 6.3 of this by-law or which has the effect of creating an additional dwelling unit within or attached to the said buildings shall be permitted. A minimum of five (5) off-street parking spaces shall be provided in accordance with the provisions of Section 5.3 of this by-law."

(By-Law Numbers 8499; 92-136; 98-195)

266. On the approximately 0.20 ha parcel of land located on the west side of Victoria Street north of Princess, known municipally as 590, 596 and 598 Victoria Street and the approximately 0.076 ha parcel of land located on the south side of

South Bartlett Street and designated 'C.266' on a copy of Zoning Map Number 19 attached to and forming part of By-Law Number 93-89 as Schedule "A", the only permitted uses shall be those which are in exclusive association with or accessory to the commercial use on the property located immediately to the west and south, known municipally as 659 Princess Street, subject to the following regulations:

- (i) Wherever the 'C.266' Zone abuts existing residential uses a minimum 2.0m high decorative privacy fence shall be provided.

(By-Law Numbers 8499; 93-89)

267. On the two (2) parcels of land located on the north and south sides of Dalton Avenue east of Don Street and designated 'M.267' on a copy of Zoning Map Number 2 attached to and forming part of By-Law Number 92-346 as Schedule "B", the following regulations shall apply:

- (i) the minimum elevation for any building openings shall be 76.6m geodetic.

268. On the parcel of land located on the north side of Princess Street west of Parkway, known municipally as 1473 Princess Street and designated 'C2.268' on a copy of Zoning Map Number 11 attached to and forming part of By-Law Number 92-346 as Schedule "H", the following regulations shall apply:

- (i) the minimum elevation for any building openings shall be 77.6m geodetic.

(By-Law Numbers 8499; 92-346)

269. On the parcel of land located on the south side of Princess Street west of Parkway, known municipally as 1550 Princess Street and designated 'C2.269 on a copy of Zoning Map Number 11 attached to and forming part of By-Law Number 92-346 as Schedule "H", the following regulations shall apply:

- (i) the minimum elevation for any building openings shall be 76.6m geodetic.

(By-Law Numbers 8499; 92-346)

270. On the parcels of land located on the south side of Sherwood Drive and designated "A2.270 on a copy of Zoning Map Number 22 attached to and

forming part of By-Law Number 92-346 as Schedule "L", the following regulations shall apply:

- (i) the minimum elevation for any building openings shall be 76.6m geodetic.

(By-Law Numbers 8499; 92-346)

271. On the approximately 0.48 ha parcel of land located on the north side of Counter Street at Leroy Grant Drive and designated M.271' on a copy of Zoning Map Number 9 attached to and forming part of By-Law Number 92-345 as Schedule "A", the permitted uses shall also include an unlicensed (under the Liquor Licence Board of Ontario) restaurant only if primarily used in association with and accessory to the bus terminal use on the property located immediately to the east.

(By-Law Numbers 8499; 92-345)

272. Repealed and superseded by Section 7.3.4 (East Side of Bagot between Queen Street and Barrack Street (C1-4)) Zone of By-Law 96-259.

(By-Law Numbers 8499; 93-150 and OMB Order; 96-259)

273. On the approximately 0.74 ha parcel of land located on the south side of Princess Street east of Parkway, known municipally as 1440 Princess Street and designated 'C2.273' on a copy of Zoning Map Number 11 attached to and forming part of By-Law Number 93-103 as Schedule "A", the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 22.2 (i) of this by-law, the permitted uses shall also include:

- (a) offices with a total maximum gross leasable area of 1795.16m²;
and

- (b) the Loyola Community Learning Centre;

- (ii) The maximum size of any individual office use shall be 1000m² of gross leasable area; and

- (iii) The Loyola Community Learning Centre shall not be subject to subsection (ii) above.

(By-Law Numbers 8499; 93-103)

274. On the approximately 0.4 ha parcel of land located in the block bounded by Yonge Street, Logan Street and Mowat Avenue, known municipally as 28 Yonge Street and designated 'B2.274' on a copy of Zoning Map Number 29, attached to and forming part of By-Law Number 93-255 as Schedule "A", the following regulations shall apply:
- (a) Notwithstanding the provisions of Section 15.3(j) of this by-law, the Maximum Number of Permitted Dwelling Units shall be eighteen (18);
 - (b) Notwithstanding the provisions of Section 15.3(a) of this by-law, the Maximum Height shall be three (3) storeys provided the building height as defined in this by-law does not exceed 9.6m;
 - (c) Notwithstanding the provisions of Section 15.3(c) of this by-law, the Minimum Front Yard shall be:
 - On Yonge Street: 3.0m;
 - On Logan Street: 2.0m;
 - On Mowat Avenue: 3.0m;
 - (d) Notwithstanding the provisions of Section 15.3(d) of this by-law, the Minimum Side Yard shall be 0.6m;
 - (e) Notwithstanding the provisions of Section 15.3(e) of this by-law, the Minimum Rear Yard shall be 6.4m;
 - (f) Notwithstanding the provisions of Section 15.3(g) of this by-law, the Maximum Percentage of Lot Occupancy shall be 82.7 per cent.

(By-Law Numbers 8499; 93-255)

275. On the approximately 0.27 ha parcel of land located at the southwest corner of Barrie Street and Earl Street, known municipally as 212-218 Barrie Street and 216 Earl Street and designated 'E.275' on a copy of Zoning Map Number 30 attached to and forming part of By-Law Number 96-360 as Schedule "A", the following regulations shall apply:
- (a) Notwithstanding and in addition to the provisions of Section 17.2 of this by-law, the permitted uses shall also include church offices provided that this use is contained within the walls of the existing building located at 212 Barrie Street;

- (b) Notwithstanding the provisions of Section 17.3(a) of this by-law, the existing building at 212 Barrie Street shall be recognized as non-complying with respect to minimum front, side and rear yard requirements. No extension or enlargement of the existing building shall be permitted, however, alterations, including structural alterations, necessary for the normal maintenance and repair of the existing building shall be permitted;
- (c) Notwithstanding the provisions of Section 17.3(g) and Section 5.3 of this by-law, the minimum number of required off-street parking spaces for the church offices permitted in Subsection (a) herein shall be five (5);
- (d) Notwithstanding the provisions of Section 17.2 of this by-law, any permitted University uses, except associated surface parking, shall be contained within the walls of the existing building known municipally as 218 Barrie Street.

(By-Law Numbers 8499; 93-233; 96-360)

276. 143 Union Street

Notwithstanding any provisions of Section 17 hereof to the contrary, on the lands zoned 'E.276' on Schedule "A" attached hereto, the following provisions shall apply:

- i. Minimum number of off-street parking spaces shall be 83;
- ii. The existing Victoria School building shall be deemed to be in conformity with the minimum front, side and rear yard requirements of the by-law.
- iii. The minimum setback requirements for any proposed additions to the existing building shall be as follows:

From Union Street: 20.0 metres

From Alfred Street: 2.7 metres

From Frontenac Street: 2.2 metres

Rear Yard: 0.9 metres

iv. Minimum number of off-street loading spaces shall be 1.

(By-Law Numbers 8499; 93-201; 2001-10; 2010-89)

277. Reserved

278. On the approximately 0.521 ha parcel of land located on the west side of Montreal Street south of Briceland Street and designated 'OS2.278' on a copy of Zoning Map Number 7 attached to and forming part of By-Law Number 93-290 as Schedule "A", the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 36.2 of this by-law, the only permitted use shall be a storm water management facility and any accessory structures required in the operation of said facility.

(By-Law Numbers 8499; 93-290)

279. Deleted by By-Law Number 95-189.

(By-Law Numbers 8499; 93-290; 95-189)

280. On those parcels of land located on the west side of Montreal Street south of Briceland Street and designated 'B1.280' on a copy of Zoning Map Number 7 attached to and forming part of By-Law Number 93-290 as Schedule "A", the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 5.3 of this by-law, off-street vehicle parking facilities for any townhouse or row dwelling unit shall be provided as follows:
 - (a) One (1) parking space per dwelling unit, provided the required parking space is located within an internal garage.
 - (b) 1.4 parking spaces per dwelling unit if the off-street parking is provided by means of a common parking area.

(By-Law Numbers 8499; 93-290)

281. Reserved

282. On the approximately 2.78 ha parcel of land located on the east side of Steve Fonyo Drive north of Terry Fox Drive, known municipally as 31 Steve Fonyo Drive, and designated 'M.224' and 'M.282' on a copy of Zoning Map

Number 1 and Zoning Map Number 10 attached to and forming part of By-Law Number 93-354 as Schedule “A” and Schedule “B”, the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 31.A of this by-law, the permitted uses shall also include public or private recreation facilities.

(By-Law Numbers 8499; 93-354)

283. On the approximately 0.2 ha parcel of land located on the east side of Yonge Street south of Logan Street, and designated 'B2.283' on a copy of Zoning Map Number 29 attached to and forming part of By-Law Number 94-129 as Schedule “A”, the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 15.3(j) of this by-law, the Maximum Number of Permitted Dwelling Units shall be eleven (11);
- (ii) Notwithstanding the provisions of Section 15.3(a) of this by-law, the Maximum Height shall be three (3) storeys provided the building height as defined in the by-law does not exceed 9.6m;
- (iii) Notwithstanding the provisions of Section 15.3(c) of this by-law, the Minimum Front Yard shall be: On Yonge Street – 2.0m;
- (iv) Notwithstanding the provisions of Section 15.3(d) of this by-law, the Minimum Side Yard shall be 2.0m;
- (v) Notwithstanding the provisions of Section 15.3(e) of this by-law, the Minimum Rear Yard shall be 3.2m;
- (vi) Notwithstanding the provisions of Section 15.3(g) of this by-law, the Maximum Percentage of Lot Occupancy shall be 85 per cent.

(By-Law Numbers 8499; 94-129)

284. On the approximately 0.02 ha parcel of land located on the north side of Johnson Street between Toronto Street and Victoria Street, known municipally as 621 Johnson Street, and designated 'A.284' on a copy of Zoning Map Number 19 attached to and forming part of By-Law Number 94-40 as Schedule “A”, the following regulations shall apply:

- (i) A maximum of two (2) dwelling units shall be permitted;
- (ii) Where two (2) dwelling units are provided:
 - (a) the ground floor unit shall be either a bachelor or one-bedroom unit; and
 - (b) the unit occupying the second and third floors shall contain a maximum of two (2) bedrooms.

- (iii) There shall be no exterior expansion of the existing building in order to accommodate the proposed two dwelling units.
- (iv) Two (2) off-street parking spaces shall be provided in accordance with Section 5.3 of this by-law;
- (v) Notwithstanding the provisions of Section 5.11 and 6.3 of this by-law, the proposed two unit dwelling shall be deemed to be a conforming use with respect to yard requirements, lot area and percentage of lot coverage.

(By-Law Numbers 8499; 94-40)

285. On the approximately 0.38 ha parcel of land located on the south side of Railway Street between Division Street and Patrick Street, known municipally as 142 and 154 Railway Street, and designated M7.285 on a copy of Zoning Map Number 17 attached to and forming part of By-Law Number 94-47 and By-Law Number 2000-261, as Schedule "A" the following regulations shall apply:

- (i) In addition to the provisions of Section 30.2 of this by-law, the permitted uses shall also include community centres and public or private recreation facilities;
- (ii) Notwithstanding the provisions of Section 5.3 of this by-law, the minimum number of required parking spaces for the uses listed in subsection (i) shall be forty (40).

(By-Law Numbers 8499; 2000-261)

286. On the approximately 0.001 ha (128.1 m²) parcel of land located on the west side of Division Street, between Brock and Garrett Streets, known municipally as 154 Division Street and designated 'C1.286' on a copy of Zoning Map Number 19 attached to and forming part of By-Law Number 94-203 as Schedule "A", the following regulations shall apply:

- (i) Notwithstanding the provisions of C1 zoning, any C1 use of the existing building shall be confined to the ground floor thereof;
- (ii) Notwithstanding the provisions of Section 5.3 and Section 21.3(f) of this by-law, the minimum number of required off-street parking spaces shall be two (2) which shall be exclusively devoted to the neighbourhood commercial (C1) use of such building during normal business hours;
- (iii) Notwithstanding the provisions of Section 21.3(b) and 21.3(c) of this by-law, the existing building shall be deemed to be conforming with respect to rear yard and maximum percentage of lot coverage. There shall be no additions or expansion of the existing building which have the effect of reducing the existing rear yard or increasing the percentage of lot coverage, without prior municipal approval.

(By-Law Numbers 8499; 94-203)

287. On the approximately 0.80 ha parcel of land located on the northwest corner of Counter and Rigney Streets, known municipally as 121 Counter Street, and designated 'M.287' on a copy of Zoning Map Number 8 attached to and forming part of By-Law Number 94-204 as "A", the following regulations shall apply:
- (i) In addition to the provisions of Section 31A of this by-law, the permitted uses shall also include:
 - (a) a donut shop containing a maximum floor area of 74.3m² and providing seating for a maximum of twenty-four (24) persons intended to serve primarily the surrounding industrial area;
 - (b) a "Mailboxes Plus" service, providing mailboxes for lease and accessory services such as photocopying and facsimile machines intended primarily for the lessees of the mailboxes.
 - (c) an office, for the conduct of uses such as the practice of a profession, the carrying on of a business or administration but shall not include a retail use.
 - (d) a financial office, for the conduct of uses such as banking, trust companies, mortgage companies or investment companies.
 - (ii) A minimum of eight (8) off-street parking spaces shall be provided for the exclusive use of the patrons of the donut shop and "Mailboxes Plus" service.
 - (iii) Office and financial office uses shall be limited to a combined maximum floor area of 1500 square metres.

(By-Law Numbers 8499; 94-204; 2001-269)

288. On the approximately 0.17 ha (1674 m²) parcel of land located on the south side of Princess Street east of Portsmouth Avenue, known municipally as 1330 Princess Street and designated 'C2.288' on a copy of Zoning Map Number 12 attached to and forming part of By-Law Number 94-338 as Schedule "A", the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 22.3(c) of this by-law, the minimum required side yards for the existing building and any additions or alterations thereto shall be:
 - on the west side of the property – 3.65m; and
 - on the east side of the property – 7.31m;
- (ii) Notwithstanding the provisions of Section 5.3 and Section 22.3(h) of this by-law, the minimum number of required off-street parking spaces for vacuum cleaner sales and service shall be five (5);
- (iii) In the event that the existing building and proposed addition thereto are removed, any new building shall be subject to the regulations of Section 22.3 of this by-law.

(By-Law Numbers 8499; 94-338)

289. On the approximately 1.34 ha (13410 m²) parcel of land located on the Northwest corner of Union and College Streets, known municipally as 421 Union Street, and designated 'E1.289' on a copy of Zoning Map Number 26 attached to and forming part of By-Law Number 95-190 as Schedule "A", the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 18.2 of this by-law, the only permitted uses shall be the Donald Gordon Centre and accessory uses or buildings thereto and other similar teaching or educational facilities;
- (ii) Notwithstanding the provisions of Section 18.3(a) of this by-law, the maximum building height shall be as follows:
 - new conference wing: one and one-half storeys or 6.9m above grade;
 - north wing: three (3) storeys or 9.3m above grade;
 - west wing: four (4) storeys or 11.9m above grade;

For the purposes of this section, "grade" shall mean 99.0m geodetic, which is the existing grade level at Roselawn House and the Coach House. The "height" shall be the distance from grade to the top of the roof surface.

- (iii) Notwithstanding the provisions of Section 18.3(d) of this by-law, the minimum rear yard for any new construction shall be 4.2m;
- (iv) Notwithstanding the provisions of Section 18.3(b) of this by-law, the minimum required side yards for any new construction shall be:

- on the west side of the property: 7.0m;
 - on the east side (College Street) of the property: 5.0m;
- (v) Notwithstanding the provisions of Section 18.3(e) of this by-law, the minimum lot width shall be 86.12m;
- (vi) Notwithstanding the provisions of Section 5.3 and Section 18.3(g) of this by-law, the minimum number of required off-street parking spaces shall be eighty (80);
- (vii) Notwithstanding the provisions of Section 5.4 and Section 18.3(h) of this by-law, the off-street loading facilities shall be located only on the west side of the property;
- (viii) There shall **be no vehicle access** to the site from College Street.

(By-Law Numbers 8499; 95-190)

290. On the approximately 0.078 ha (780 m²) parcel of land located on the North side of Princess Street between Indian Road and McMichael Street, known municipally as 1313 Princess Street and designated 'C2.290' on a copy of Zoning Map Number 12 and marked as Schedule "A" attached hereto and forming part of By-Law Number 95-57, the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 22.3(b) of this by-law the minimum required front yard shall be 11.5m. An unenclosed wheelchair ramp and one parking space may be located within the required front yard;
- (ii) Notwithstanding the provisions of Section 22.3(c) of this by-law, the minimum side yards for the existing building and any additions thereto shall be:
- on the west side: 2.05m;
 - on the east side: 5.79m;
- (iii) Notwithstanding the provisions of Section 5.3 and Section 22.3(h) of this by-law, the minimum number of required off-street parking spaces for the doctor's office shall be five (5); and
- (iv) In the event that the existing building on the site is removed, any new building shall be subject to the regulations of Section 22.3 of this by-law.

(By-Law Numbers 8499; 95-62)

291. On the approximately 7.6 ha parcel of land located on the North side of Dalton Avenue and West of Sir John A. Macdonald Boulevard, known municipally as 711 Dalton Avenue, and designated 'M9.291' on a copy of Zoning Map Number 1 attached hereto and forming part of By-Law Number 95-82 as Schedule "A", the following regulations shall also apply:
- (i) Notwithstanding the provisions of Section 5.1A of this by-law to the contrary, and in addition to Section 31B.1 of this by-law, the permitted uses shall also include:
 - (a) a secondary school including all of the following:
 - i) a day care;
 - ii) a theatre auditorium;
 - iii) a cafeteria;
 - iv) ancillary playing fields;
 - v) spectator facilities; and
 - vi) athletic facilities;
 - (b) an accessory community centre including all of the following:
 - i) administrative offices;
 - ii) meeting, conference and facility rooms;
 - iii) lounge common room; and
 - iv) professional offices;
 - (c) accessory buildings and structures.
 - (ii) Notwithstanding the provisions of Section 31B.1(h) and 31B.2 to the contrary, the following regulations shall apply:
 - (a) accessory community centre uses permitted in the M9.291 zone shall not occupy an area which is greater than 20 per cent of the total floor area;
 - (b) for the purposes of the M9.291 zone the yard abutting Dalton Avenue shall be deemed to be the front yard;
 - (c) lot occupancy, minimum shall be 5 per cent;
 - (d) off-street parking:
 - (i) number of spaces shall be as per Section 5.3;

- (ii) the location of the existing parking area shall be deemed to conform to the requirements of this by-law;
 - (iii) any new parking area shall be prohibited within 10m of any street line;
 - (iv) parking between building and street line shall be landscaped to screen parking from the street;
 - (v) all parking areas shall be surfaced in asphalt or concrete.
- (e) Required Landscaping Area shall be:
- (i) adjacent to existing or proposed street, not less than 7.5m of landscaped area, excluding driveway;
 - (ii) adjacent to each side or rear lot line, not less than 2m of landscaped area;
 - (iii) no structures shall be permitted in landscaped area.
- (By-Law Numbers 8499; 95-82)

292. Reserved

293. Reserved

294. On the approximately 0.071 ha (712m²) parcel of land located on the North side of Princess Street, east of McMichael Street, known municipally as 1267 Princess Street and designated 'C2.294' on a copy of Zoning Map Number 12 attached to and forming part of By-Law Number 95-217 as Schedule "A", the following regulations shall apply:

- (i) In addition to the provisions of Section 22.2 of this by-law, a maximum of one (1) dwelling unit shall also be permitted provided it is located on the second floor of the building in existence on the property, on the day of the passing of this by-law;
- (ii) Notwithstanding the provisions of Section 22.3(b) of this by-law, the minimum required front yard shall be 9.6m;
- (iii) Notwithstanding the provisions of Section 22.3(c) of this by-law, the minimum side yard (west side) for the existing building and any additions thereto shall be 3.0m;
- (iv) Notwithstanding the provisions of Section 5.3 and Section 22.3(h) of this by-law, the minimum number of required off-street parking spaces for the sewing business and one (1) residential dwelling unit shall be five (5); and
- (v) That in the event that the existing building on the site is removed, any new building shall be subject to the regulations of Section 22.3 of this by-law.

(By-Law Numbers 8499; 95-217)

295. On the approximately 1.813 ha (4.5 acres) parcel of land located on the south side of Barbara Avenue, west of Division Street and designated 'B2.295' on a copy of Zoning Map Number 14 attached to and forming part of By-Law Number 96-130 as Schedule "A", the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 15.3(a) and 15.3(b) of this by-law, the maximum building height shall be three (3) storeys not to exceed 11.0m (36.1 ft);
- (ii) Notwithstanding the provisions of Section 15.3(j) of this by-law, the maximum number of dwelling units shall be forty-nine (49);
- (iii) Notwithstanding the provisions of Section 15.3(e) of this by-law, the minimum rear yard setback along the southerly portion of the most northerly building shall be 3.7m (12.1 ft);
- (iv) Notwithstanding the provisions of Section 5.3 of this by-law, the minimum number of required off-street parking spaces, including garages, shall be seventy-two (72);
- (v) Notwithstanding the provisions of Section 15.3(g) of this by-law, the maximum percentage of lot occupancy shall be forty (40) per cent; and
- (vi) the building form shall be townhouses or stacked townhouses.

(By-Law Numbers 8499; 96-130)

296. 1471-1475 John Counter Boulevard and 16 Terry Fox Drive

Notwithstanding the provisions of Section 31B.1 and 31B.2 hereof to the contrary, the lands designated 'M9.296-H' on Schedule "A" hereto, the following regulations shall apply:

- (a) Permitted uses are limited to:
 - (i) Business park uses:
 - (a) offices for or in connection with businesses or professions;
 - (b) corporate administrative operations of an office nature;
 - (c) data processing and related service, including call centre;
 - (d) film or recording studio;
 - (e) laboratory or research and development facility;
 - (f) printing establishment;
 - (g) technologically advanced manufacturing, fabricating and assembling operations for the production high value products (non-noxious);
 - (h) commercial school;
 - (i) education centre; and
 - (j) public use.
 - (ii) Complementary / commercial uses:
 - (a) bank or financial institution;
 - (b) clinic;
 - (c) retail store;
 - (d) pharmacy;
 - (e) restaurant (including a maximum of one drive-through facility);
 - (f) personal service shop; and
 - (g) day care.
- (b) Complementary / commercial uses shall be limited to a maximum of 25 per cent of the total gross floor area of all buildings on the lands designated M9.296-H.

- (c) Accessory uses:
 - (i) Accessory uses are permitted in accordance with the General Provisions;
 - (ii) A maximum of 25 per cent of the total floor area for any single tenant or business may be used for the purposes of the display and retail sale of products manufactured, processed, fabricated or assembled on the premises.
- (d) Open storage is prohibited.
- (e) '-H' Holding Zone Provisions:
 - (i) The '-H' Holding provision applies to a day care use.
 - (ii) The '-H' Holding provision shall not be removed until the following conditions have been satisfied:
 - (a) The submission of a Phase I Environmental Site Assessment and any subsequent assessment as necessary, including a Record of Site Condition, prepared by a qualified person as defined by the City of Kingston and completed to the satisfaction of the City of Kingston and which adheres to all applicable municipal and provincial requirements; and
 - (b) The submission of a satisfactory noise impact study prepared by a qualified person as defined by the City of Kingston and completed to the satisfaction of the City of Kingston and which adheres to all applicable municipal and provincial requirements.
- (f) The provisions of Section 31B.2(i), Subsection (ii) of this by-law prohibiting parking within ten metres (10 m) of the street line and requiring a landscaped berm to screen parking located between the building and street line shall not apply; and
- (g) The provisions of Section 31B.2(l) of this by-law requiring minimum landscaping areas shall not apply."

(By-Law Numbers 8499; 96-232; 2016-142)

297. On the approximately 0.027 ha (265 m²) parcel of land located on the northeast corner of Patrick Street and Markland Street, known municipally as 51 Patrick Street and designated 'A.297' on a copy of Zoning Map Number 18 attached to and forming part of By-Law Number 96-195 as Schedule "A", the following regulations shall apply:
- (i) Notwithstanding the provisions of Section 6.2 of this by-law, the permitted uses shall also include a triplex dwelling;
 - (ii) The minimum number of required off-street parking spaces shall be three (3);
 - (iii) The basement dwelling unit shall be confined within the walls of the building in existence as of the date of the passing of this by-law and shall contain a maximum floor area of 50m².
 - (iv) Notwithstanding the provisions of Section 6.3(a), 6.3(b), 6.3(c), 6.3(d) and 6.3(e) of this by-law, the existing building shall be recognized as non-complying with respect to the regulations of the "A" Zone regarding Minimum Lot Area, Minimum Front Yard, Minimum Side Yard, Minimum Rear Yard and Maximum Percentage of Lot Coverage. No extension or enlargement of the existing building shall be permitted, however, alterations, include structural alterations, necessary for the normal maintenance and repair of the existing building will be permitted.

(By-Law Number 96-195 – 1996)

298. On the approximately 6.04 ha parcel of land located on the east side of Lappan's Lane, south of Dalton Avenue and immediately north of the main line of the Canadian National Railway, and designated 'M.298' on a copy of Zoning Map Nos. 2, 3, 8 and 9 marked as Schedules "A", "B", "C" and "D" attached hereto and forming part of By-Law Number 96-343, the following regulations shall apply:
- (i) In addition to the provisions of Section 31.A of this by-law, the permitted uses shall also include:
 - (a) an automotive evolution centre and museum;
 - (b) public or private, indoor or outdoor, recreation facilities;
 - (c) accessory uses which are clearly subordinate to the uses permitted in (a) and (b) herein. Without limiting the generality of the foregoing, these accessory uses may include restaurants, snack bars, gift shops or pro shops; and

- (ii) The accessory uses permitted in (i)(c) herein, shall be designed to serve the principle uses on the lot and shall not occupy an area which is greater than twenty-five (25) per cent of the total floor area of all buildings on the lot;
- (iii) There shall be a minimum 30m building setback from the Canadian National Railway right-of-way in conjunction with a minimum 2.4m high earthen safety berm. The berm shall be a minimum of 2.4m above the grade at the property line, having side slopes not steeper than 2.5 to 1 and be located adjoining and parallel to the railway right-of-way with returns at the ends;
- (iv) The maximum height of any dome structure containing the permitted uses outlined in Subsection (I), Clauses (a) and (b) herein shall be 25m.

(By-Law Number 96-343 – 1996)

299. On the approximately 0.054 ha (544 m²) parcel of land located on the north side of William Street between Division Street and Barrie Street, known municipally as 255 and 257 William Street, and designated 'E.299' on a copy of Zoning Map Number 30 attached to and forming part of By-Law Number 97-59 as Schedule "A", the following regulations shall apply:

- (i) In addition to the provisions of Section 17.2 of this by-law, the permitted uses shall also include a three unit row dwelling;
- (ii) Any three unit row dwelling constructed on the property shall be subject to the following regulations:
 - (a) The minimum number of required off-street parking spaces shall be three;
 - (b) Notwithstanding the provisions of Section 6.3(a) and 6.3(d) of this By-Law, the existing building and any addition thereto shall be deemed to comply to the regulations of the "A" Zone regarding Minimum Lot Area and Minimum Rear Yard;
 - (c) Notwithstanding the provisions of Section 6.3(b) of this by-law, the minimum front yard setback for any addition shall be the established front yard setback of the existing building and porch;
 - (d) Notwithstanding the provisions of Section 6.3(e) of this by-law, the Maximum Percentage of Lot Coverage shall be forty (40) per cent;
 - (e) Notwithstanding the provisions of Section 6.3(c) of this by-law, the Minimum Aggregate Side Yard shall be 3.2m, provided that the minimum side yard for any addition to the existing building shall be 0.76m;

- (f) Notwithstanding the provisions of Section 6.3(f) of this by-law, the maximum building height for any addition to the existing building shall be two storeys.

(By-Law Number 97-59 – 1997)

300. Reserved

301. On the approximately 0.173 ha (1729 m²) parcel of land located on the north side of Princess Street between Indian Road and McMichael Street, known municipally as 1317 Princess Street, and designated 'C2.301' on a copy of Zoning Map Number 12 attached to and forming part of By-Law Number 97-133 as Schedule "A", the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 22.3 (b) of this by-law, the minimum required front yard shall be 13.1 metres. An unenclosed wheelchair ramp and one parking space may be located within the required front yard;
- (ii) Notwithstanding the provisions of Sections 5.3 and 22.3 (h) of this by-law, the minimum number of required off-street parking spaces for the denture therapy clinic shall be nine; and
- (iii) That in the event the existing building on the site is removed, any new building shall be subject to the regulations of Section 22.3 of this by-law.

(By-Law Number 97-133 – 1997)

302. On the approximately 0.193 ha (1925 m²) parcel of land located on the north side of Princess Street between Indian Road and McMichael Street, known municipally as 1327 Princess Street, and designated 'C2.302' on a copy of Zoning Map Number 12 attached to and forming part of By-Law Number 97-160 as Schedule "A", the following regulations shall apply:

- (i) In addition to the provisions of Section 22.2 herein, the permitted uses shall also include a physiotherapy clinic with a maximum floor area of 700m²;
- (ii) In addition to the provisions of Section 22.3 (a) herein, the Maximum Building Height for the physiotherapy clinic shall be two storeys;
- (iii) Notwithstanding the provisions of Section 22.3 (c) herein, the minimum required side yard on the east side of the building shall be 4.4 metres; and
- (vi) The minimum number of off-street parking spaces for the physiotherapy clinic shall be in accordance with the provisions of Section 5.3 and Section 22.3 (h) of this by-law. The maximum number of off-street parking spaces for the physiotherapy clinic shall be twenty-four (24).

(By-Law Number 97-160 – 1997)

303. (a) Deleted (180 Bagot Street and 182 Bagot Street) see **By-Law 2021-47**

303. B.303 184 Bagot Street and 111 William Street)

Notwithstanding the provisions of this By-Law hereof to the contrary, the lands designated 'B.303' on Schedule "A" hereto, the following regulations shall apply:

(b) 111 William Street

- (i) Permitted uses are limited to a single unit dwelling.
- (ii) Minimum lot area shall be 140 square metres.
- (iii) Minimum front yard setback shall be 1.4 metres.
- (iv) Minimum side yard along the east property line shall be 0 metres.
- (v) Minimum rear yard setback shall be 1.2 metres.
- (vi) Maximum lot coverage shall be 44 per cent.
- (vii) The minimum amount of outdoor amenity space shall be no less than 46 square metres and there is no requirement for a children's play space.
- (viii) No extension or enlargement to the existing building at 111 William Street shall be permitted.

(c) 184 Bagot Street

- (i) Permitted uses are limited to a single unit dwelling.
- (ii) Minimum lot area shall be 310 square metres.
- (iii) Maximum height shall be 10.62 metres.
- (vi) Minimum aggregate side yard setback shall be 3.3 metres.
- (v) Minimum amount of amenity space shall be no less than 31 square metres and there is no requirement for a children's play space.
- (vi) Parking
 - a. A minimum of four (4) parking spaces will be located on this property. One (1) barrier free parking space and two (2) regular parking spaces shall be used exclusively for a professional office at 180 Bagot Street.
 - b. Minimum width for a vehicle access aisle is 3.6 metres.

(By-Law Numbers 8499; 2015-36; 2021-47)

304. On the approximately 0.21 ha (2125.5 m²) parcel of land located on the south side of Hickson Avenue, between McKenna Avenue and Hagerman Avenue, known municipally as 50 Hickson Avenue, and designated 'M7.304' on a copy of Zoning Map Number 15 attached to and forming part of By-Law Number 97-309 as Schedule "A", the following regulations shall apply:
- (i) In addition to the provisions of Section 30.2 of this by-law, the permitted uses shall also include community centres and public or private recreation facilities;
 - (ii) Notwithstanding the provisions of Sections 5.3 and 30.3 (f) of this by-law, the minimum number of required off-street parking spaces for any community centre or public or private recreation facility use shall be eighteen (18);
 - (iii) Notwithstanding the provisions of Sections 30.3 of this by-law, the minimum required front yard shall be 6.7m;
 - (iv) Notwithstanding the provisions of Section 30.3 (b) of this by-law, the maximum percentage of lot coverage shall be 35 per cent; and
 - (v) Notwithstanding the provisions of Section 30.3 of this by-law, any new additions to the existing buildings or any new building construction on the site shall maintain the existing building setbacks along the east and south property boundaries.

(By-Law Number 97-309 – 1997)

305. Notwithstanding the provisions of Section 5.39 and Section 22 to the contrary, the lands designated 'C2.305' on the copy of Map 12 attached to and forming part of By-Law Number 2005-121 as Schedule "A", shall only be used in accordance with the following special provisions:
- i) Notwithstanding the provisions of Section 22.2 of this by-law to the contrary, the subject lands shall be limited to the following uses:
 - i. One residential dwelling unit within the walls of the existing building known municipally as 1324 Princess Street;
 - ii. Retail stores, including retail stores selling general services;
 - iii. Lunch counters;
 - iv. Catering business;

- v. Banks;
 - vi. Electrical repair services, including radio and television repair services;
 - vii. Offices with a maximum size of 605 square metres per building; and
 - viii. Accessory building to any use permitted in the 'C2.305' Zone.
- ii) Notwithstanding the provisions of Sections 22.3(b),(c) and (d) of this by-law, minimum front, side and rear yard setbacks for the existing building on the property municipally known as 1324 Princess Street only shall be as follows:
- Minimum east property boundary setback: 6.0 metres;
 - Minimum south property boundary setback: 0.37 metres; and
 - Minimum west property boundary setback: 0.78 metres.
- iii) That prior to the introduction of a commercial use, the lands municipally known as 1324 Princess Street shall be subject to Site Plan Control.
- iv) That in the event that the existing buildings, subject to the 'C2.305' Zone are removed, any new building shall be subject to the regulations of Section 22.3 of this by-law.

(By-Law Numbers 97-308 – 1997; 2005-121 – 2005)

306. On the approximately 0.14 hectare parcel of land located on the northwest corner of Johnson and Barrie Street, known municipally as 309-315 Johnson Street, and designated 'B.306' on the map attached to and forming part of By-Law Number 98-267 as Schedule "A", the following regulations shall apply:
- (i) In addition to the uses permitted by Section 13.2 of this by-law a funeral home and associated parking shall also be permitted on lands designated 'B.306';
 - (ii) The minimum number of required off-street parking spaces for the funeral home and any upper floor residential units shall be thirty-one (31);
 - (iii) That notwithstanding the provisions of Section 13.3, Subsections (b), (c), and (d) of this by-law, the existing funeral home shall be recognized as

non-complying with respect to the minimum building setback requirements along Johnson Street, Barrie Street and the north property boundary;

- (iv) That notwithstanding the provisions of Section 13.3, Subsection (g) of this by-law, the maximum percentage of lot coverage shall be 40 per cent.

(By-Law Number 98-267 – 1998)

307. Reserved

308. On the approximately 0.1 hectare parcel of land located on the south side of Princess Street between Portsmouth Avenue and Hillendale Avenue, known municipally as 1344 Princess Street, and designated 'C2.308' on the map attached hereto and forming part of this by-law, the following regulations shall apply:

- (i) In addition to the provisions of Section 22.2 of this by-law, a maximum of one (1) dwelling unit shall be permitted provided it is located within the walls of the building in existence on the property on the day of the passing of this by-law;
- (ii) That notwithstanding the provisions of Section 22.3 (c) of this by-law, this minimum side yard on the west side of the existing building and any additions thereto shall be 2.1 metres (7.1 feet);
- (iii) That notwithstanding the provisions of Section 22.3 (c) of this by-law, the minimum side yard on the east side of the existing building and any additions thereto shall be 6.7 metres (22.1 feet). In addition to a driveway, parking spaces may also be located within this side yard;
- (iv) Notwithstanding the provisions of Section 5.3 and Section 22.3 (h) of this by-law, the minimum number of required off-street parking spaces for the psychiatrist's office and one (1) residential unit shall be five (5);
- (v) That in the event that the existing building on the site is removed, any new building shall be subject to the regulations of Section 22.3 of this by-law.

(By-Law Number 99-59 – 1999)

309. On the approximately 0.08 hectare parcel of land located on the northwest corner of Princess Street and Indian Road, known municipally as 1343 Princess Street, and designated 'C2.309' on the map attached hereto and forming part of this by-law, the following regulations shall apply:

- (i) In addition to the provisions of Section 22.2 of this by-law, a maximum of one (1) dwelling unit shall be permitted provided it is located within the

walls of the building in existence on the property on the day of passing of this by-law;

- (ii) That notwithstanding the provisions of Section 22.3 (b) of this by-law, the minimum required front shall be 9.7 metres (31.8). An unenclosed wheelchair ramp may be located within the required front yard;
- (iii) That notwithstanding the provisions of Section 22.3 (c) of this by-law, the minimum side yard on the east side of the existing building and any additions thereto shall be 3.75 metres (12.4 feet). In addition to a driveway, parking spaces may also be located within this side yard;
- (iv) Notwithstanding the provisions of Section 5.3 and Section 22.3 (h) of this by-law, the minimum number of required off-street parking spaces for the chiropractor's clinic and one (1) residential unit shall be six (6);
- (v) That in the event that the existing building on the site is removed, any new building shall be subject to the regulations of Section 22.3 of this by-law.

(By-Law Number 8499; 99-59)

310. On the approximately 0.08 hectare parcel of land located on the north side of Princess Street between Indian Road and McMichael Street, known municipally as 1309 Princess Street, and designated 'C2.310' on the map attached to and forming part of By-Law Number 99-84 as Schedule "A", the following regulations shall apply:

- (i) In addition to the provisions of Section 22.2 of this by-law, a maximum of one (1) dwelling unit shall be permitted provided it is located within the walls of the building in existence on the property on the day of the passing of this by-law.
- (ii) That notwithstanding the provisions of Section 22.3 (b) of this by-law, the minimum required front shall be 13.5 metres (44.0 feet);
- (iii) That notwithstanding the provisions of Section 22.3 (c) of this by-law, the minimum side yard on the east side of the existing building and any additions thereto shall be 3.9 metres (12.8 feet);
- (iv) Notwithstanding the provisions of Section 5.3 and Section 22.3 (h) of this by-law, the minimum number of required off-street parking spaces for the beauty salon and one(1) residential unit shall be six (6);
- (v) That in the event that the existing building on the site is removed, any new building shall be subject to the regulations of Section 22.3 of this by-law.

(By-Law Number 99-84 – 1999)

311. On the three parcels of land located on the north side of Union Street, east of MacDonnell Street, and designated 'A4.311' on the map attached to and forming part of By-Law Number 99-201 as Schedule "A", the following regulations shall apply:

- (i) That notwithstanding the provisions of Section 10.3(a) iv. Of this by-law, the minimum required front yard shall be 8.0 metres.

(By-Law Number 99-201 – 1999)

312. On the three parcels of land located on the north side of Union Street, east of Macdonnell Street, and designated 'A4.311' on the map attached to and forming part of By-Law Number 99-201 as Schedule "A", the following regulations shall apply:

- (i) That notwithstanding the provisions of Section 10.3 (a) v. of this by-law, the minimum required side yard on the west side of the lot shall be 4.0 metres, measured at right angles from the lot line to the point where the minimum side yard setback intersects with the minimum required front yard setback.

The minimum side yard setback shall then be projected northerly from that point at right angles to the front lot line resulting in a minimum side yard setback of 9.3 metres measured at right angles from the lot line to the point where the projected setback intersects with the minimum required rear yard setback.

The minimum side yard setback on the east side of the lot shall be 1.2 metres.

(By-Law Number 99-201 – 1999)

313. On the approximately 0.7 hectare (1.8 acre) parcel of land located at the northwest corner of Elliott Avenue and Montreal Street, and designated 'C2.313' on a copy of Zoning Map Number 7 attached to and forming part of By-Law Number 2000-36 as Schedule "A", the following regulations shall apply:

- (i) In addition to the uses permitted in the 'C2' Zone, as set out in Section 22.2 of this by-law, medical offices and a nursery / garden centre / greenhouse shall also be permitted uses;

- (ii) Notwithstanding the provisions of Section 22.2 (i) of this by-law, the maximum amount of office space shall be 1350 square metres, provided that no one office use occupies a floor area in excess of 675 square metres;
- (iii) Notwithstanding the provisions of Section 22.3 (c) of this by-law, parking shall be permitted within the required side yard along the Elliott Avenue frontage of the property.

(By-Law Numbers 2000-36 – 2000; 2005-208 – 2005)

314. On the approximately 0.12 hectare (.29 acre) parcel of land located on the east side of Montreal Street known municipally as 1135 Montreal Street, and designated 'A5.314' on a copy of Zoning Map Number 7 attached hereto and forming part of this by-law, the following regulations shall apply:

- (i) In addition to the uses permitted in the 'A5' Zone, as set out in Section 11.2 of this by-law, a triplex shall also be permitted use;

(By-Law Number 2000-171 – 2000)

315. On the approximately 450 square metre parcel of land located on the southeast corner of Johnson and Division Streets, known municipally as 344 Johnson Street, and designated 'E.317' on Zoning Map Number 30 attached to and forming part of By-Law Number 2001-45 Schedule "A", the following regulations shall apply:

- (i) That notwithstanding the provisions of Section 17.2 of this by-law, the following uses shall also be permitted within the walls of the building in existence as of the date of the passing of this by-law:
 - six (6) residential dwelling units; or
 - five (5) residential dwelling units in conjunction with a neighbourhood commercial use;
- (ii) That the following uses shall constitute a neighbourhood commercial use as permitted in Clause (i) above: retail convenience store; corner food store; laundromat; restaurant; coffee shop; neighbourhood take-out food outlet; hairdresser; barber; shoe repair; and, dry cleaning pick up outlet.
- (iii) Any permitted neighbourhood commercial use shall be located on the ground floor of the building and shall not exceed 900 square feet of floor area."
- (iv) hat notwithstanding Section 5.3 of this by-law, that the owner be required to provide a minimum of 10 parking spaces.

(By-Law Number 2001-45 – 2001)

316. On the approximately 2.6 hectare (6.4 acre) parcel of land located on the south side of King Street West, known municipally as 1066 King Street West and comprising the westerly portion of the property commonly known as the Richardson Dock, and designated 'B3.316' on Zoning Maps Number 27 and 28 attached to and forming part of By-Law Number 2001-48 as Schedules "A" and "B", the following regulations shall apply:
- (i) Notwithstanding the provisions of Section 16.3 (f) of this by-law, two (2) multiple family residential buildings containing a maximum of two hundred and twenty-five (225) residential units in total shall be permitted;
 - (ii) Notwithstanding the provisions of Section 16.3 (a) of this by-law, the proposed (easterly) building on the site shall be located no further than 50 metres from King Street West
 - (iii) Notwithstanding the provisions of Section 16.3 (e) of this by-law, the total building mass for both buildings shall not exceed 27 000 square metres;
 - (iv) Notwithstanding the provisions of Section 16.3 (g) and Section 5.3 of this by-law, a minimum of 220 underground parking spaces and a minimum of 109 surface parking spaces shall be provided on site for both buildings;
 - (v) Notwithstanding the provisions of Section 5.3 (d) ii. of this by-law, surface parking shall be permitted to within 13.5 metres of the street line;
 - (vi) Notwithstanding the provisions of Section 16.3 (b) of this by-law, the minimum side yard setback on the east side of the property shall be 9.86 metres and the minimum aggregate side yard shall be 25.8 metres.

(By-Law Number 2001-48 – 2001)

317. On the approximately 0.2 hectare (0.49 acre) parcel of land at the north-east corner of James and Montreal Street know as 351 Montreal Street, and designated 'C1.316' on the copy of Zoning Map Number 17 attached to and forming part of By-Law Number 2001-116 as Schedule "A", the following regulations shall apply:

- (i) Maximum lot coverage of 58 per cent.
- (ii) Minimum rear yard setback of 6 metres.

(By-Law Number 2001-116 – 2001)

318. On the approximately 2.53 hectare parcel of land known as 2-6 and 8 Cataraqui Streets bounded by Cataraqui Street, the Inner Harbour Area of the Great Cataraqui River, Douglas R. Fluhrer Park, and the proposed Wellington Street extension the following regulations shall apply:

i) Notwithstanding the provisions of Section 21.2 of this By-Law the permitted uses shall also include:

- art gallery,
- artisans workshops
- artisan/residential loft,
- bakery,
- bakeshop,
- bank or financial establishment,
- bed and breakfast establishment,
- catering establishment,
- computer programming establishment,
- commercial entertainment establishment,
- commercial establishment,
- commercial recreation facility,
- commercial school,
- day care centre,
- drugstore-pharmacy,
- florist,
- government office,
- laboratory,
- office,
- parking lot,
- marine supply establishment,
- medical clinic,
- medical office,
- parking structure,

- photo or artist studio,
 - personal service establishment,
 - private social or cultural facility,
 - public market,
 - mixed commercial/residential development,
 - radio or television studio,
 - restaurant,
 - restaurant-outdoor patio,
 - restaurant-take-out,
 - specialty retail store.
 - storage lockers,
- ii) 8 Cataraqui Street – Commercial / Residential Use:
- a) The maximum permitted number of residential dwelling units shall be fifty (50);
 - b) The maximum permitted height of the building shall be 99.7m geodetic,
 - c) The maximum ground floor area shall be 860 square metres;
 - d) The maximum gross floor area shall be 5000 square metres;
 - e) The total number of parking spaces for the residential component shall be one (1) space per dwelling unit unless the provisions of Section 5.3 (a) iii pertain to all or a portion of the units.
 - f) There shall be a 3 metre wide strip of land adjacent and running parallel to the Wellington Street extension which shall function as a landscaped buffer strip. This strip shall include a mix of the following design elements, ornamental lighting, deciduous tree plantings, berming, and ornamental brick walls in keeping with materials and design elements on the Woolen Mill site.
- iii) 2-6 Cataraqui – Residential Use:

(a) Shall be subject to the provisions of the 'B1.207' Zone

iv) Cataraqui Street

The minimum setback for any building or structure located on the subject lands shall be 90 metres from Cataraqui Street.

(By-Law Number 2001-233 – 2001)

319. On the approximately 3.79 hectare (9.36 acres) parcel of land located on the north side of King Street west, known municipally as 1097-1101 King Street West, and designated 'OS1', 'OS2', and 'OS2.99' on Zoning Maps 27 and 28 attached to and forming part of By-Law Number 2001-228 as Schedule "A" and notwithstanding the provisions of section 8.0 of this by-law, the subject lands shall be developed with 44 single family dwellings in accordance with the following provisions:

- (i) Lot area (minimum): 500m²
- (ii) Lot frontage (minimum): 17.1 m (corner); 15.0 m (interior)
- (iii) Front yard depth (minimum): 6.0m
- (iv) Exterior side yard (minimum): 3.0 m
- (v) Interior side yard width – the required interior side yard on a lot with an attached garage or carport shall be 0.6 meter on one side and 1.2 metres on the other side. On a lot where there is no attached private garage or attached carport, the minimum interior side yard shall be 2.4 metres on one side and 0.6 metre on the other side.
- (vi) Rear yard depth (minimum): 6.0m
- (vii) Lot coverage (maximum): 47 per cent
- (viii) Height of Building (maximum): 10.6metres
- (ix) Driveway width (maximum): 6.7metres
- (x) The lands Zoned 'A2.319' shall be subject to an '-H' Holding symbol which shall be used and removed in accordance with Section 5.39 of this by-law.

(By-Law Number 2001-228 – 2001)

320. On the approximately 0.14 hectare (.36 acre) parcel of land located at 902 Portsmouth Avenue, and designated 'C2.320' on a copy of Zoning Map Number 11 attached to and forming part of By-Law Number 2001-182 as Schedule "A", the following regulations shall apply:
- (i) Notwithstanding the uses listed in Section 22.2 the only permitted uses shall be a professional office and an accessory residential unit.
 - (ii) Notwithstanding the provisions of Section 22.3 (b) of this by-law, the minimum front yard requirement shall be 10 metres.
 - (iii) Notwithstanding the provisions of Section 22.3 (h) the minimum number of parking spaces shall be six (6) spaces and shall be located in the rear yard.
 - (iv) Notwithstanding the provisions of Section 22.3 (h) all parking will be restricted to the rear yard.

(By-Law Number 2001-182 – 2001)

321. On the approximately 0.08 ha parcel of land located on the east side of Alfred Street, between Union and Earl Streets, known municipally as 157 Alfred Street, and designated 'E.321' on a copy of Zoning Map Number 30 attached to and forming part of By-Law Number 2001-193 as Schedule "A", the following regulations shall apply:

- (a) Notwithstanding the provisions of Section 17.2 of this by-law, the permitted uses shall also include two (2), three (3) unit dwellings;
- (b) The maximum number of permitted residential units on the lands Zoned 'E.321' shall be six (6);
- (c) Notwithstanding the provisions of Sections 17.3 (a) i. (3) of this by-law, the minimum front, side and rear yard requirements shall be as follows:

Existing Building and Proposed Addition

Front Yard: 3.3 metres (existing)

Side Yard (north): 0.24 metres (existing)

Side yard (south): 2.3 metres

Rear Yard: 13.6 metres

Proposed Building

Front Yard: 3.0 metres

Side Yard (north): 1.4 metres

Side yard (south): 1.3 metres

Rear Yard: 17.7 metres

- (d) Notwithstanding the provisions of Section 5.3 and Section 17.3 (g) of this By-Law, the minimum number of required off street parking spaces shall be six (6).
- (e) The minimum play space and amenity area requirement for the permitted three unit dwellings shall be a total of 284.5 square metres.”

(By-Law Number 2001-193 – 2001)

322. On the approximately 1450 square meter parcel of land located on the south side of Princess Street between Portsmouth Avenue and Hillendale Avenue, known municipally as 1334 Princess Street, and designated “C2.322” on Zoning Map 12 attached to and forming part of the By-Law Number 2001-197 as Schedule “A”, the following regulations shall apply:

- (a) The following uses shall be permitted within the walls of the building in existence as of the date of the passing of this by-law;
- (b) Retail Stores, lunch counters, restaurants, banks, electrical repair services including radio and television repair services, offices with a maximum size of 605m², and accessory buildings to the use permitted above. Continued use of the property as a single family dwelling shall also be permitted;
- (c) require a minimum of 6 parking spaces;
- (d) recognize the non-complying situation of the side yard setbacks, and;
- (e) require that any new buildings comply with the regulations of the ‘C2’ Zone.

(By-Law Numbers 8499; 2001-197)

323. Reserved

324. On the approximately 0.66 ha parcel of land located on the south side of Princess Street, west of Portsmouth Avenue, known municipally as 1412

Princess Street, and designated 'C2.324' on a copy of Zoning Map Number 11 attached to and forming part of By-Law Number 2001-257 as Schedule "A", the following regulations shall apply:

- (a) Notwithstanding the provisions of Section 22.2 (i) of this by-law, the permitted uses shall also include:
 - (i) Offices with a total maximum gross leasable area of 1590 square metres (17,112 square feet).
 - (b) Notwithstanding the provisions of Section 5.4 and Section 22.3 (i) of this by-law, there shall be no requirement for Off-Street Loading for the permitted office uses.

(By-Law Numbers 8499; 2001-257)

325. Reserved

326. On the approximately 26 ha parcel of land located on the south west quadrant of Dalton Avenue and Division Street, and zoned 'C2.326' on Zoning Maps Number 2 and 3 attached to and forming part of amending By-Law Number 2008-33, the following regulations shall apply to the entire area zoned 'C2.326':

- (a) Any supermarket permitted under Section 22.2 of the By-Law shall have a maximum gross leasable floor area of 7,432 square metres.
- (b) The maximum combined Gross Leasable Area of all permitted uses on the site shall be 39,992 square metres.
- (c) All buildings shall be set back a minimum of 30 metres from the CN Railway right-of-way in conjunction with an earthen berm.
- (d) A minimum horizontal buffer of 15 metres is required between the 'EPA' Zone located along the west side of the site and any impervious surface such as a driveway, parking lot, outdoor storage area or structure. This shall not include a public use such as a hydro substation.
- (e) A minimum horizontal buffer of 10 metres is required from any stormwater management facility located in the 'C2.326' Zone."
- (f) The minimum front yard setback, along Dalton Avenue 190 metres west of Division Street, shall be 3.0 metres.
- (g) For 1040 to 1162 Division Street and 88 to 120 Dalton Avenue, C2 uses not specifically designated in Section 5.3 A.(b) of the by-law shall provide 1 parking space for every 28.0 square metres of gross leasable area.

(By-Law Numbers 8499; 2002-54; 2007-76; 2008-33)

327. On the approximately 0.10 ha parcel of land located on the east side of Alfred Street, between Johnson and Earl Streets, known municipally as 205 to 209 Alfred Street, and designated 'E.327' on a copy of Zoning Map Number 30 attached to and forming part of By-Law Number 2002-103 as Schedule "A", the following regulations shall apply:
- (a) Notwithstanding the provisions of Section 17.2 of this by-law, the permitted uses shall also include two (2), three (3) unit dwellings;
 - (b) The maximum number of permitted residential units on the lands Zoned 'E.327' shall be six (6);
 - (c) Notwithstanding the provisions of Sections 17.3 (a) i. (3) of this by-law, the minimum front, side and rear yard requirements shall be as follows:

205 Alfred Street

Minimum Front Yard for house: 5.5 metres

Minimum Front Yard for porch: 3.75 metres

Minimum Side Yard (north): 0.76m (existing)

Minimum Side Yard (north): 1.2m (proposed addition)

Minimum Side yard (south): 0.06 m (existing)

Minimum Side Yard (south): 1.2 m (proposed addition)

Minimum Rear Yard: 20.4 m

209 Alfred Street

Minimum Front Yard for house: 5.75 metres

Minimum Front Yard for porch: 4.1 metres

Minimum Side Yard (north): 0.0 m (existing)

Minimum Side Yard (north): 1.8 m (proposed addition)

Minimum Side yard (south): 1.85 m (existing)

Minimum Side Yard (south): 2.4 m (proposed addition)

Minimum Rear Yard: 20.4 m

- (d) Notwithstanding the provisions of Section 5.3 and Section 17.3 (g) of this by-law, the minimum number of required off street parking spaces shall be six (6).
- (e) The minimum play space and amenity area requirement for the permitted six (6) dwelling units shall be a total of 400 square metres.”

(By-Law Numbers 8499; 2002-103)

328. On the approximately 1.04 ha parcel of land located at the south west corner of Cassidy and Montreal Streets, and designated ‘M2.328’ on a copy of Zoning Map Number 15 attached to and forming part of By-Law Number 2002-51 as Schedule “A”, the following regulations shall apply:

- (a) Notwithstanding the provisions of Section 25.(2) (c) and Section 212 of this by-law, the permitted uses shall also include:
 - the sales of motor vehicles; and
 - the upholstering and re-upholstering of boat covers and tops.

(By-Law Numbers 8499; 2002-51)

329. 100 and 104 Day Street

On the properties known municipally as 100 and 104 Day Street and designated as ‘A5.329’ on Zoning Map Number 8 attached to and forming part of By-Law Number 2003-352 as Schedule “A” the following regulations shall apply:

- (i) In addition to the list of permitted uses for the A5 Zone, a triplex dwelling shall be a permitted use.

(By-Law Numbers 8499; 2003-352)

330. On the approximately 0.4 ha parcel of land located on the west side of Binnington Court, north of Dalton Avenue, known municipally as 190 Binnington Court, and designated as ‘M.330’ on a copy of Zoning map Number 1 attached to

and forming part of By-Law Number 2002-129 as Schedule "A", the following regulations shall apply:

- (a) Notwithstanding the provisions of Section 31A.1 of this by-law to the contrary, professional office and financial services uses shall also be permitted in addition to the existing uses, provided that said professional office and financial service uses shall be contained within the walls of the building in existence as of the date of the passing of this by-law;
- (b) In accordance with the provisions of Section 224 of By-Law Number 8499, there shall be no outside storage or storage tanks permitted;
- (c) For the purposes of this section only, the permitted professional office and financial services uses shall include a professional office in which a service or consultation is given, including, but not necessarily limited to, the offices of a lawyer, a planner, an architect, a surveyor, an engineer, an insurance broker, a union local or a chartered accountant or financial services associated with a bank, a trust company, a mortgage company or an investment company.

(By-Law Numbers 8499; 2002-129)

331. On the approximately 1.49 ha (3.7 ac) parcel of vacant land located on the west side of Division Street south of Elliott Avenue and north of Kirkpatrick Street and designated 'B1.331' on Zoning Map Number 8 attached to and forming part of By-Law Number 2002-183, as Schedule "A", the following provisions shall apply:

- (i) In addition to the uses permitted in Section 14.2 of this by-law for the 'B1' Zone, a Nursing / Retirement Home with a maximum of 220 beds and accessory medical and commercial uses related to the Nursing / Retirement Home shall also be permitted on the lands Zoned 'B1.331'. The permitted accessory commercial uses may include, but not necessarily be limited to, a medical clinic, a pharmacy, a beauty salon / barber shop, or a retail store, provided that any such accessory commercial uses are located entirely within the Nursing / Retirement Home and are designed to serve only the residents or employees of the home.
- (ii) For the purposes of this Section, a Nursing / Retirement Home shall be defined as a residence providing accommodation primarily for retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hallway, but where common facilities for the preparation and consumption

of food are provided and common lounges, recreation rooms and accessory medical and commercial facilities may also be provided.

- (iii) Notwithstanding the provisions of Section 14.3 (d) of this by-law, the maximum number of permitted dwelling units shall be 110.
- (iv) Where a combined nursing / retirement home and apartment complex may be proposed, the maximum number of dwelling units / beds permitted shall not exceed a combined number that would generate more than 220 persons on the lands Zoned 'B1.331'. The total number of persons generated by any such development proposal shall be determined by calculating the sum of the totals which result from multiplying the total number of beds / units by the number of persons in accordance with the following table:

Dwelling Unit Type	Number of Persons Generated
Nursing Home Bed	1.0
Bachelor Unit	1.0
1 Bedroom Unit	1.5
2 Bedroom Unit	2.5
3 Bedroom Unit or Greater	3.5 plus 1.0 for each Additional Bedroom

- (v) Notwithstanding the provisions of Section 14 of this by-law, the maximum permitted building height shall be four (4) storeys.

(By-Law Numbers 2002-183 – 2002)

332. On the approximately 0.09 hectare (.23 acre) parcel of land located on the west side of Division Street known as 666 Division Street, and designated 'A5.332' on a copy of Zoning Map Number 14 attached hereto and forming part of By-Law Number 2003-49, as Schedule "A", the following regulations shall apply:

- (i) In addition to the uses permitted in the 'A5' Zone, as set out in Section 11.2 of this by-law, a triplex shall also be permitted use, provided that the three units are contained within the walls of the building in existence as of January 21, 2003, the date of the passing of this by-law.

(By-Law Numbers 8499; 2003-49)

333. Reserved

334. On the approximately 0.12 acre parcel of land located on the west side of Bagot Street, known municipally as 402 Bagot Street, and designated 'A.334' on

a copy of Zoning Map Number 18 attached hereto and forming part of By-Law Number 2004-16, the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 6.3(j) of this by-law, a structural alteration having the effect of adding new floor area to the principal building on the subject property shall be permitted, provided that:
 - (a) the gross floor area of the principal building shall not exceed 390.2 square metres (4200 square feet);
 - (b) the additional new floor area permitted by the passing of this by-law shall not exceed 79.2 square metres (852 square feet) and shall be wholly contained within the third storey, and, the remaining 48 square metres (516 square feet) of “non-permitted” space on the third storey will be rendered inaccessible for use;
 - (c) the four (4) units shall be contained within the walls of the building in existence as of the date of the passing of this by-law; and, any extension, expansion or structural alteration which has the effect of adding new floor area or dwelling units to the said multiple family dwelling, including dormer construction, shall be prohibited.

(By-Law Numbers 8499; 2004-16)

335. On the approximately 0.346 ha parcel of land located on the north west corner of Sir John A. Macdonald Boulevard and Princess Street, known municipally as 1129 Princess Street and 144 & 152 Avenue Road, and designated ‘C2.338-H’ on a copy of Zoning Map Number 12 attached to and forming part of By-Law Number 2004-48 as Schedule “A”, the following regulations shall apply:

For the purposes of this by-law, the parcels of land comprising the ‘C2.338’ Zone shall be interpreted as being one parcel of land for by-law purposes;

Notwithstanding Section 22.2(i) of By-Law Number 8499, office uses shall be permitted without any maximum gross floor area limitation per building;

Notwithstanding Section 22.3(d) of By-Law Number 8499, the minimum required rear yard shall be 30.0 metres.

Notwithstanding any sections of By-Law Number 8499 to the contrary, a minimum 4.0 metre vegetated buffer shall be provided along the rear property line abutting the Residential Zone and along the northerly 38 metres of the east property line, extending from the rear property line and fronting Avenue Road.

Notwithstanding any sections of By-Law Number 8499 to the contrary, a minimum 1.8 metre high fence of solid masonry (brick or limestone or patterned concrete) shall be constructed along the south and west limits of the minimum 4.0 metre vegetated buffer required by subsection (iv) above.

That the Holding Symbol '-H' shall be applied to the 'C2.338' Zone as indicated on Schedule "A" attached hereto; and, that in addition to any provisions of Section 5.39 of By-Law Number 8499 respecting the use and removal of '-H' Symbols, the following shall be provided prior to the removal of the '-H' symbol:

an approved site plan for the subject lands addressing ingress and egress to the property and traffic flows along Sir John A. Macdonald Boulevard and Princess Street;

- 2) an approved site plan for the subject lands providing planting details for the minimum 4.0 metre wide vegetated buffer and construction details of the solid barrier buffering adjacent to the abutting residential land uses;
- 3) an executed Site Plan Control Agreement.

(By-Law Numbers 2004-48 – 2007-161)

(Note: Section 338A is hereby amended by changing the section number to account for a duplicate section numbering so that Section 338A will now be changed to read as Section 335 and inserted in the proper location.)

(By-Law Numbers 8499; 2007-161)

336. On the approximately 212.6 square metre parcel of land located at the south east corner of Yonge Street and Union Street, and designated 'A5.336T' on a copy of Zoning Map 29 attached to and forming part of By-Law Number 2003-370 as Schedule "A", the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 11.2 of this by-law, the permitted uses shall also include:
 - an aesthetic salon.
- (ii) For the purposes of this section, an aesthetic salon shall mean an establishment for providing personal grooming and services such as, but not limited to, manicures, pedicures, facials and waxing.
- (iii) There shall be no apparent visible indication from the exterior to show that an aesthetic salon has been established on the premises except that an

identification sign, not to exceed 0.1 square metres in area, shall be permitted.

- (iv) There shall be no external storage of materials or containers which indicate to persons outside that any part of the premises are being used for any purpose other than a dwelling.
- (v) A minimum of two (2) parking spaces shall be provided with access to Yonge Street. No parking spaces accessed by Union Street shall be permitted.
- (vi) Not more than one employee may be involved with the operation of the aesthetic salon.
- (vii) The aesthetic salon shall cease operation by September 9, 2006.

(By-Law Numbers 8499; 2003-370)

On the approximately 0.08 hectare (0.20 acre) parcel of land located on the west side of Wilson Street, known as 134 Wilson Street and designated 'A5.337' on a copy of Zoning Map Number 7 attached hereto and forming part of By-Law Number 2003-369, as Schedule "A", the following regulations shall apply:

In addition to the uses permitted in the 'A5' Zone, as set out in Section 11.2 of this by-law, a triplex dwelling shall also be a permitted use, provided that the three units are contained within the walls of the building in existence as of September 9, 2003, the date of the passing of this by-law."

(By-Law Numbers 8499; 2003-369)

338. On the approximately 166 square metre parcel of land located at 19 Concession Street, and designated 'C1.338' on a copy of Zoning Map 19 attached to and forming part of By-Law Number 2004-5 as Schedule "A", the following regulations shall apply:

- (i) The following uses shall be permitted; restaurant; one residential dwelling unit, provided that such dwelling unit is located within a commercial structure.
- (ii) Maximum Height: 12.0 m
- (iii) Minimum Rear Yard: 4.0m
- (iv) Maximum Percentage of Lot Coverage: 55 per cent
- (v) Accessory Buildings

As per Section 5.17 of this by-law.

(vi) Parking

As per Section 5.3 of this by-law.

(By-Law Numbers 8499; 2004-5)

339. On the approximately 0.08 hectare (0.20 acre) parcel of land located on the west side of Wilson Street, known as 130 Wilson Street and designated 'A5.339' on a copy of Zoning Map Number 7 attached hereto and forming part of Amending Zoning By-Law Number 2004-21, as Schedule "A", the following regulations shall apply:

- (i) In addition to the uses permitted in the 'A5' Zone, as set out in Section 11.2 of this by-law, a triplex dwelling shall also be a permitted use, provided that the three units are contained within the walls of the building in existence as of the date of the passing of this by-law.

(By-Law Numbers 8499; 2004-21)

340. On the approximately 0.38 hectare parcel of land located at the northwest corner of Bath Road and Queen Mary Road, known as 393 Bath Road and designated 'C2.340' on a copy of Zoning Map 22 attached and forming part of By-Law Number 2004-328, as Schedule "A", the following regulations shall apply:

- (i) Notwithstanding the provisions of Section 22 of this by-law, the permitted uses shall also include: a veterinary clinic
- (ii) There shall be no outdoor animal kennels located on the subject property.
- (iii) There shall be no outside animal runs located on the subject property.
- (iv) That, animals subject to treatment at the veterinary clinic, shall be walked at any given time by one staff member with a short leash and will be supervised by an employee of the veterinary clinic. Dogs of questionable disposition will not be walked outside.
- (v) That all refuse will be contained inside the hospital prior to disposal.
- (vi) That removal of garbage, animal and medical waste will be handled appropriately.

(By-Law Numbers 8499; 2004-328)

341. Reserved

342. On the approximately 0.233 ha parcel of land located on the south side of Briceland Street, north of the CNR mainline and designated 'A7.342' on a copy of Zoning Map Number 7 attached to and marked as Schedule "A" to By-Law Number 2004-240, the following regulations shall apply:

- (i) Notwithstanding Section 12A.3(e) herein, the minimum required rear yard shall be 8.0 metres.

(By-Law Numbers 8499; 2004-240)

342A. On the approximately 5.3 hectare (13 acre) parcel of land on the north side of Dalton Avenue, west of Warne Crescent and south of Highway Number 401 and designated as 'C2.342' on Zoning Maps 2 and 3, attached to and forming part of By-Law Number 2004-318 as Schedule "A", the permitted uses shall be the following and subject to the development requirements of Section 22:

- (i) retail stores (including retail stores selling general services), lunch counters, restaurants and accessory outdoor patios
- (ii) retail warehouses
- (iii) food stores
- (iv) banks
- (v) drive-in restaurants
- (vi) motels, hotels and banquet halls
- (vii) shopping centres
- (viii) bowling alleys, theatres, auditoriums
- (ix) accessory buildings to any use permitted in the C2.342 zone

(By-Law Numbers 8499; 2004-318)

343. On the approximately 0.056 ha parcel of land located on the south side of Briceland Street, north of the CNR mainline and designated 'A7.343' on a copy of Zoning Map Number 7 attached to and marked as Schedule "A" to By-Law Number 2004-240, the following regulations shall apply:

- (i) Notwithstanding Section 12A.3(c) herein, Minimum Side Yard (interior), the minimum width for the east side of the dwelling that is not attached to another dwelling unit and for which an attached garage or carport is provided shall be 0.67 metres; and

- (ii) Notwithstanding Section 12A.3(e) herein, the minimum required rear yard shall be 8.0 metres.

(By-Law Numbers 8499; 2004-240)

344. Reserved.

345. On the approximately 499.31 square metre parcel of land located at 23 to 25 West Street and zoned 'B1.345' on Zoning Map 31, the provisions of Section 14, for the 'B1' Multiple Family Dwelling Zone shall apply to the 'B1.345' Zone except that the following regulations shall apply notwithstanding any provisions of the by-law to the contrary:

- (a) Notwithstanding the provisions of Sections 14 (a), (b), and (c), the existing building shall be deemed conforming with respect to the minimum front, side and rear yard.
- (b) Minimum lot width: 9.30 metres
- (c) Maximum density: 124 du/ha
- (d) Off-street parking: 1 space per dwelling unit (minimum); the required parking may be located in front of the midway point between the front and rear walls of the main building, and stacked parking shall be permitted.

(By-Law Numbers 8499; 2006-35)

346. On the approximately 0.67 hectare parcel of land located at 41 Joseph Street, being Part of Lots 191 to 195 of Registered Plan C22, between Joseph Street and Fraser Street and zoned as 'B3.346' on the copy of Zoning Map Number 17 attached to and forming part of By-Law Number 2005-31 as Schedule "A", the following regulations shall apply:

- (a) Purpose and Requirement for Removal of Holding Symbol:

The use and removal of the '-H' Holding Symbol shall be in accordance with the provisions of Section 5.39 of this by-law.

To ensure the proper redevelopment of the lands, given the findings of the Environmental Site Assessment and Soils Investigations, development for residential or community facility uses will not proceed until the following have been completed:

- An acceptable Remediation Plan is provided and carried out to the Municipality's satisfaction and that a Record of Site Condition is filed with the Ministry of the Environment;

- A Site Plan Control Agreement is executed by the Owner, which Agreement shall incorporate the recommendations for site remediation and all other applicable municipal conditions.

(b) Permitted Interim Uses:

In accordance with Section 5.39 (i) of this by-law.

(c) Zone Regulations When '-H' Symbol Removed:

Notwithstanding any provisions of the By-Law to the contrary, the provisions of Section 16 for the 'B3' Multiple Family Dwelling Zone shall apply to the 'B3.346' Zone except that:

- (i) Notwithstanding the provisions of Section 16.2, the following additional uses shall be permitted:
- Community Centre or Community Hall, including, but not necessarily limited to, counseling services, life skills groups, meeting spaces for clients of Home Base Non Profit Housing Inc. and other social service agencies, kitchen / cafeteria space, group counseling rooms, drop-in room, copies / supply room and offices for program staff and administration;
 - Crisis Care Shelter shall be limited to a maximum occupancy of 30 persons;
- (ii) The maximum gross floor area for the additional permitted uses listed in Clause (c) (i) above shall be 800 square metres;
- (iii) No Crisis Care Facility, Community Centre or Community Hall use shall be located closer than 20 metres to any other residential zone;
- (iv) The maximum height of any building shall be 2 storeys, not to exceed 9.0 metres;
- (v) Notwithstanding the provisions of Section 16.3 (g) and Section 5.3 of this by-law to the contrary, off-street parking facilities for residential uses shall be provided at a ratio of 1 parking space for each of the first two units, plus 1 parking space for each additional 4 units;
- (vi) Notwithstanding the provisions of Section 16.3 (f) of this by-law to the contrary, the maximum permitted density shall be 69 units per net hectare.

- (vii) Notwithstanding the provisions of Section 5.33(iv) of this by-law to the contrary, a permitted Crisis Care Shelter use may occupy a portion of a Community Centre or Community Hall building.

(By-Law Numbers 8499; 2005-31)

347. On the approximately 189.14 square metre parcel of land located at 318 Albert Street and zoned 'A.347' on Zoning Map 19, the provisions of Section 6, for the "A" One-Family Dwelling and Two-Family Dwelling Zone shall apply to the 'A.347' Zone except that the following regulations shall apply notwithstanding any provisions of the by-law to the contrary:

- (i) Notwithstanding the provisions of Section 6.2 of this by-law, the following uses only shall be permitted:
 - (a) one-family dwelling;
 - (b) a medical or dental clinic with a maximum of 1 practitioner;
 - (c) professional office in which a service or consultation is given, including, but not limited to the offices of a lawyer, planner, architect, surveyor, engineer, insurance broker, or chartered accountant or financial services.
- (ii) Non-residential uses shall only be located on the ground floor.
- (iii) Where both a residential and non-residential use are located on the subject property, the residential use shall be limited to a maximum of three bedrooms.
- (iv) Minimum Lot Area: 189 m²
- (v) Minimum Front Yard: 3.41 m
- (vi) Minimum Side Yard (interior): 0.27 m
(exterior): 0.5 m
- (vii) Minimum Rear Yard: 8.7 m
- (viii) Maximum Percentage of Lot Coverage: 49 per cent
- (ix) Maximum Permitted Building Depth: 11.43 m

- (x) Off-street parking: 1 space minimum for the residential use, 2 spaces minimum for any non-residential use
- (xi) Buffering: Fencing or other appropriate buffering a minimum 1.2m in height be provided along the interior side lot line extending from the rear wall of the main building to the rear lot line.

(By-Law Numbers 8499; 2006-60)

348. On the approximately 0.066 hectare (.16 acre) parcel of land located on the south side of Elmwood Street known as 330 Elmwood Street, and designated 'A2.348' on a copy of Zoning Map Number 21 attached to and forming part of By-Law Number 2005 as Schedule "A", the following regulations shall apply:

- (i) In addition to the uses permitted in the 'A2' Zone, as set out in Section 8.2 of this by-law, a triplex shall also be a permitted use, provided that the three units are contained within the walls of the building in existence as of the date of the passing of this by-law.

(By-Law Numbers 8499; 2005-84)

349. On the approximately 22,318.69 square metre parcel of land located at 111, 119, 123, 125 and 129 Van Order Drive and zoned as 'B1.349' on Zoning Map Number 21, the following regulations shall apply:

- (i) Notwithstanding the provisions of the B1 zone, the following uses shall be permitted:
 - multiple unit dwellings, to a maximum total of 111 residential units owned and operated by a local housing corporation;
 - a multiple unit dwelling containing senior citizen apartments only, to a maximum of 49 units, owned and operated by a local housing corporation; and
 - offices for a local housing corporation, to a maximum of 615 square metres.
- (ii) Maximum density permitted: 75 du/ha
- (iii) Parking: A minimum of 102 parking spaces shall be provided.
- (vi) For the purpose of this section, a local housing corporation within the meaning of the Social Housing Reform Act, 2000, S.O. 2000, c.27, as

amended or any successor legislation thereto, that is wholly owned by a prescribed service manager for the delivery of social housing.”

(By-Law Numbers 8499; 2006-62 OMB Decision, Sept. 29, 2006 / Order Number 2759)

350. Reserved.

351. On the approximately 1255 square metre parcel of land located at 39 Russell Street, being Concession WGCR Part Farm Lot 1; RP 13R12917, Parts 1 and 2, between Division Street and Montreal Street and zoned as ‘B.351-H’ on the copy of Zoning Map Number 17 attached to and forming part of By-Law 2005-57 as Schedule “A”, the following regulations shall apply:

(a) Purpose and Requirement for Removal of Holding Symbol:

The use and removal of the ‘-H’ Holding Symbol shall be in accordance with the provisions of Section 5.39 of this by-law.

To ensure the proper redevelopment of the lands, given the findings of the Environmental Site Assessment and Soils Investigations, development will not proceed until the following have been completed:

- an acceptable Remediation Plan is provided and carried out to the Municipality’s satisfaction;
- that a Record of Site Condition (RSC) is filed with the Ministry of the Environment or that the City has declared that a RSC is not required;
- a Site Plan Control Agreement is executed by the Owner, which Agreement shall incorporate the recommendations for site remediation and all other applicable municipal conditions.

(b) Permitted Interim Uses:

In accordance with Section 5.39 (i) of this By-Law.

(c) Zone Regulations When ‘-H’ Symbol Removed:

Notwithstanding any provisions of the By-Law to the contrary, the provisions of Section 13 for the “B” Three and Six Family Dwelling Zone shall apply to the ‘B.351’ Zone except that:

- (i) notwithstanding the provisions of Section 13.2, the following additional uses shall be permitted:
 - an office, not exceeding 250 square metres in gross floor area;
- (ii) the minimum rear yard shall be 4.0 metres;
- (iii) notwithstanding Section 5.3 of this by-law, the minimum number of off-street parking spaces to be provided on site shall be 8;
- (iv) notwithstanding Section 5.3 of this by-law, parking facilities may be located in front of the midway point between the front and rear walls of the main building;
- (v) development on the site shall be subject to Site Plan Control.

(By-Law Numbers 8499; 2005-57)

352. Reserved.

353. Reserved.

354. On the approximately 0.14 hectare parcel of land located at the north-east corner of Johnson Street and Roden Street, known municipally as 1061 Johnson Street, and designated ‘A2.354’ on Map 25 of this by-law, the existing building may contain a maximum of three dwelling units.

(By-Law Numbers 8499; 2006-36)

355. On the approximately 1358 square metre parcel of land located on the east side of Montreal Street, between James Street and Charles Street, known as 317-319 Montreal Street and zoned ‘A.355’ on a copy of Zoning Map Number 17 attached to and forming part of Amending By-law Number 2007-18, in addition to the uses permitted in the “A” Zone, the permitted uses shall also include the following uses:

- i) the existing catering operation at the date of the passing of this by-law;

- ii) a meeting room and food sampling area may be located on the second floor of the existing building;
- iii) at the time the commercial uses cease, the use of this property shall comply with the “A” zone provisions.

Any non-residential uses shall be developed in accordance with the following provisions:

- i) For the purpose of this section, a meeting room and food sampling area shall be defined as follows: an area of the catering business building devoted a meeting
 - ii) room and food sampling area for potential clients for the purpose of tasting food with the intent to entering into a catering contract. This use is an accessory use to the catering operation and the items to be sampled are to be prepared by the catering operation. Occasional special purpose meetings, with catering shall also be permitted. This use shall not include a restaurant or similar use, open to the general public.
- ii) Buffering (minimum)

A solid fence, 1.8 metres in height, shall be provided on the property where a non-residential use abuts a residential use.
- iii) Garbage

All garbage resulting from the commercial operation shall be stored in a screened enclosure.
- iv) Vehicle Storage

The business vehicles used in conjunction with the catering business shall be parked in the garages when not in use.
- v) Site Access

Notwithstanding Section 5.3(b)(h), the existing access to the rear yard parking shall be deemed to conform.

(By-Law Numbers 8499; 2007-18)

356. On the approximately 1.87 hectare parcel of land known as Karlee Court Subdivision, being Block “B”, Registered Plan 1675, located on the north side of Guthrie Drive, east side of Virginia Street, and zoned as ‘A5.356-H’ on Zoning Map Number 4 attached to and forming part of By-Law Number 2006-106, the uses permitted in the ‘A5’ Zone, the following regulations shall apply:

(a) Purpose and Requirement for Removal of Holding Symbol:

The use and removal of the ‘-H’ Holding Symbol shall be in accordance with the provisions of Section 5.39 of By-Law Number 8499.

To ensure the proper development of the lands, development will not proceed until sufficient capacity is confirmed within the sewage network and the Ravensview Treatment Plant.

(b) Permitted Interim Uses:

In accordance with Section 5.39 (i) of By-Law Number 8499.

(c) Zone Regulations When ‘-H’ Symbol Removed:

Notwithstanding any provisions of the By-Law to the contrary, the provisions of Section 11 for the ‘A5’ One Family and Two Family Residential Zone shall apply to the ‘A5.356’ Zone except that:

i) Minimum Lot Area:

230 metres² per dwelling unit

ii) Minimum Lot Frontage:

18.0 metres per corner lot

15.0 metres per lot

7.5 metres per dwelling unit

iii) Minimum Front Yard Depth:

5.0 metres to main structure; and

6.0 metres (minimum) to a garage and / or carport

iv) Maximum Front Yard Depth:

6.0 metres to main structure

- v) Minimum Rear Yard Depth for lots Backing onto a Freeway:

8.0 metres to main structure

- vi) Minimum Side Yards:

(i) A side yard shall be provided on either side of the main building.

(ii) The minimum aggregate side yard width shall be no less than 2.4 metres.

(iii) Each side yard shall not, at any point in its length, be a lesser width than 1.2 metres.

(iv) A side yard along a common wall shall be 0 metres.

(v) Main buildings other than dwellings or accessory buildings if 4.6 metres in height or less (each side) 3.0 metres, and for each additional 0.6 metres in height in excess of 4.6 metres (each side) 0.3 metres.

(vi) On a corner lot the minimum side yard abutting a street shall be 7.5 metres.

(By-Law Numbers 8499; 2006-106)

357. 48, 50, 52 and 56 Wiley Street

Minimum Lot Area: 311 square metres.”

(By-Law Numbers 8499; 2006-129; 2016-50)

358. On the approximately 453 square metre parcel of land known as 130 Helen Street and zoned as ‘A.358’ on Zoning Map Number 20 attached to and forming part of amending By-Law 2006-206:

Notwithstanding any provisions of the By-Law to the contrary, the provisions of Section 6 for the “A” One Family and Two Family Residential Zone shall apply to the ‘A.358’ Zone except that:

- i) Permitted Use:

Maximum of six dwellings units within the building in existence on the property on the day of the passing of this by-law.

ii) Minimum Lot Area:

94 m² per dwelling unit

iii) Minimum Rear Yard:

6.1 metres

iv) Maximum Building Height

The maximum permitted height of any exterior wall exclusive of end gable shall be 7.9 metres

v) Flat Roof Height

A flat roof shall be permitted above the 7.9 metre exterior wall

vi) Maximum Building Depth

16.7 metres

vii) Minimum Off-Street Vehicle Parking:

1 parking space per dwelling unit

viii) Parking:

A maximum of three parking spaces shall be permitted within the front yard

(By-Law Numbers 8499; 2006-206)

359. On the approximately 26 hectare parcel of land located at the north-west corner of Portsmouth

Avenue and King Street West, known municipally as 100 Portsmouth Avenue, and designated

E1.359' on Maps 24, 25 & 28 of this By-law, the following additional provisions shall apply:

1. That the site may contain one (1) wind turbine with a maximum height of 35 metres and a maximum blade diameter of 8 metres;
2. Notwithstanding the provisions in Section 18.2 to the contrary a 'nursing home' use shall be a permitted use;
3. Notwithstanding any provisions in Section 18 to the contrary that the lands within the 'E1.359' Zone shall be considered as one lot for zoning purposes; and
4. Notwithstanding any other provision of this by-law to the contrary, the Holding (H) symbol applied to the zone may be removed upon the submission of a satisfactory noise report confirming that the proposed wind turbine complies with the Ministry of Environment Guidelines.

(By-Law Numbers 8499; 2006-228; 2008-65)

360. On the approximately 1.1 hectare parcel of land located at the south-east corner of Bath Road and Sir John A. Macdonald Boulevard, known municipally as 94 Wright Crescent, and designated 'B1.360' on Schedule "A" to By-Law Number 2006-207, the maximum density shall be 105 dwelling units per hectare.

361. On the approximately 0.8 hectare parcel of land located at the south east corner of Bath Road and Sir John A. Macdonald Boulevard, known municipally as 100 Wright Crescent, and designated 'B1.361' on Schedule A to By-Law Number 2006-207, the following provisions shall apply in addition to Section 14:

- i) Both the minimum side yard setback and the minimum rear yard setbacks shall be 0 metres.
- ii) The off-street parking requirement shall be 161 parking spaces, all of which must be located within 100 metres of the subject property.

(By-Law Numbers 8499; 2006-207)

362. On the approximately 9.15 hectare parcel of land located at the north-east corner of the John Counter and Sir John A Macdonald Boulevards and designated 'M.362' on Schedule "A" to By-Law Number 2006-230, the following provisions shall apply in addition to Section 31A:

- i) The following use shall also be permitted:
 - restaurant with food commissary and catering activities.
- ii) The use listed in i) above shall not occupy in total more than 158 m² of floor space.

(By-Law Numbers 8499; 2006-230)

363. On the approximately 0.539 hectare parcel of land known as 83 Terry Fox Drive and zoned as 'M.363' on Zoning Map Number 10 attached to and forming part of amending By-Law 2006-239:

Notwithstanding any provisions of the by-law to the contrary, the provisions of Section 31A for the 'M' Industrial Zone shall apply to the 'M.363' Zone except that:

Permitted Use:

In addition to the uses permitted in the 'M' Industrial Zone, Section 31A, office uses shall be permitted.

(By-Law Numbers 8499; 2006-239)

364. On a portion of the lands municipally known as 645 John Counter Boulevard and zoned 'B1.364-H' on Zoning Map 7 attached to and forming part of the amending By-Law Number 2006-240 the following regulations shall apply:

a. Purpose and Requirement for Removal of Holding Symbol

The use of the '-H' Holding Symbol shall be in accordance with the provisions of Section 5.39 of this by-law. In addition to the requirements for the removal of the '-H' Holding Symbol in Section 5.39, the removal shall also be subject to the following specific requirements:

- 1) A remediation plan prepared by a professional engineer or professional geoscientist licensed in the Province of Ontario must be completed in accordance with Ontario Regulation 153/04, as amended and to the satisfaction of the City of Kingston and / or applicable approval authority; and
- 2) The Owner / Subdivider shall submit to the City an executed copy of an agreement with CN Rail relating to the mitigation of any potential adverse impacts between the existing railway and all proposed developments on the subject site.

b. Permitted Interim Uses

In accordance with Section 5.39 of this by-law.

c. Zone Regulations when '-H' Holding Symbol Removed

Notwithstanding any provisions of By-Law Number 8499, as amended, to the contrary, the provisions of Section 14 for the 'B1' Multiple Family Dwelling Zone shall apply to the 'B1.364-H' Zone including:

- i) Minimum Setback of 30 metres from the railway rights-of-way to a habitable structure.

(By-Law Numbers 8499; 2006-240)

365. On a portion of the lands municipally known as 645 John Counter Boulevard and zoned 'P.365-H' on Zoning Map 7 attached to and forming part of the amending By-Law Number 2006-240 the following regulations shall apply.

(a) Purpose and Requirement for Removal of Holding Symbol

The removal of the –H Symbol shall be subject to following requirements:

- 1) Notwithstanding the provisions of Section 5.39 of Zoning By-Law Number 8499, as amended the –H Symbol applied to Zone 'P.365-H' shall prohibit the addition of fill, clearing of vegetation (with the exception of conducting a stage 4 archaeological study), excavation (with the exception of conducting a stage 4 archaeological study) and any development or construction until such time as a Stage 4 archaeological Study has been completed to the satisfaction of the City's Heritage Planner, the Ministry of Culture and/or applicable approval authority.

(By-Law Numbers 8499; 2006-240)

366. On the approximately 703 square metres parcel of land known as 70 to 72 Cataraqui Street and zoned as 'C1. 366' on Zoning Map Number 17 attached to and forming part of amending By-Law Number 2006-242:

Notwithstanding any provisions of the By-Law to the contrary, the provisions of Section 21 for the 'C1' Neighbourhood Commercial Zone shall apply to the 'C1. 366' Zone except that:

i) Permitted Use:

A retail store; neighbourhood store; office for or in connection with a business or profession; bank or financial institution; restaurant; library, art gallery or museum; or veterinary clinic shall be permitted provided that it is located within the walls of the existing building on the property on the date of the passing of the by-law.

ii) There shall be no outdoor animal kennels or animal runs located on the subject property.

iii) That all refuse will be contained inside the main building prior to disposal.

(By-Law Numbers 8499; 2006-242)

367. On the approximately 650 square metre parcel of land known as 293 Division Street and zoned as 'A. 367' on Zoning Map Number 18 attached to and forming part of amending By-Law 2007-17:

Notwithstanding any provisions of the By-Law to the contrary, the provisions of Section 6 for the "A" One-Family Dwelling and Two-Family Dwelling Zone shall apply to the 'A. 367' Zone except that:

- i) Notwithstanding the provisions of Section 6.2, the following additional uses shall be permitted within the walls of the existing building on the property on the date of the passing of the By-Law:
 - laundromat;
 - retail store or shop;
 - a professional or business office.
- ii) Notwithstanding the provisions of Section 5.3, a minimum of six off-street parking spaces shall be provided for any use permitted in Section i) above.

(By-Law Numbers 8499; 2007-17)

368. On the approximately 357 square metre parcel of land located north of Princess Street and on the west side of Frontenac Street, known municipally as 544 Frontenac Street, a maximum of 3 dwelling units shall be permitted in accordance with the following provisions:

- i. Maximum Gross Floor Area shall be limited to the existing 580 square metres as approved by Committee of Adjustment Decision Notice D10-025-2005;
- ii. Maximum Residential Building Depth: 14.3 metres; and
- iii. Minimum Lot Area: 350 square metres.

(By-Law Numbers 8499; 2007-78)

369. On the approximately 546 square metre parcel of land located north of Princess Street and on the east side of Frontenac Street, known municipally as 551 Frontenac Street, the following provisions shall apply in addition to Section 13:

- i) The minimum side yard setback shall be 0.2 metres on one side and 2.7 metres on the other side;
- ii) The maximum number of units shall be 3 units with 10 bedrooms.

(By-Law Numbers 8499; 2007-79)

370. On the approximately 515 square metre parcels of land known as 467 and 471 Johnson Street and zoned as 'A.370-H' on Zoning Map Number 19 attached to and forming part of amending By-Law 2007-114:

1. Subject to the removal of the '-H' Symbol pursuant to the *Planning Act*, and notwithstanding any provisions of the by-law to the contrary, the provisions of Section 6 for the "A" One-Family Dwelling and Two-Family Dwelling Zone shall apply to the 'A.370' Zone except that:
 - i) Notwithstanding the provisions of Section 6.2 hereof to the contrary, the lands designated 'A.370' on Schedule "A" hereto may also be used for one (1) dwelling per lot containing a maximum of three (3) units. Within the 'A.370' Zone, a maximum of two (2) dwellings each containing three (3) units shall be permitted.
 - ii) Minimum Lot Area: 84 square metres per dwelling unit
 - iii) Minimum Front Yard: 2.7 metres
 - iv) Minimum Aggregate Side Yard: 2.5 metres
 - v) Maximum Percentage of Lot Coverage: 43 per cent
 - vi) Maximum Floor Space Index: 1.7
 - vii) Minimum Number of Parking Spaces: Within the 'A.370' Zone, a minimum three (3) parking spaces shall be provided.
 - viii) Maximum Number of Bedrooms Per Unit: 4
 - ix) Maximum Number of Bedrooms: Within the 'A.370' Zone, the maximum number of bedrooms shall be 20.
2. The '-H' Symbol shall only be removed once the following conditions have been complied with:
 - (i) A Consent Application is approved, final and binding to adjust the property lines and create the right-of-way;

- (ii) Submission of a Record of Site Condition to the satisfaction of the City;
- (iii) All applicable Municipal and Agency requirements have been complied with;
- (iv) All necessary Agreements, including the Site Plan Control Agreement, have been registered on title; and
- (v) City Council has passed a further amendment to the Zoning By-Law to remove the '-H' Symbol pursuant to the *Planning Act*."

(By-Law Numbers 8499; 2007-114)

371. On the lands known municipally as 1104 & 1108 Trailhead Place and 1101, 1103, 1105 and 1107 King Street West, and zoned 'A2.371' on Schedule A to By-Law Number 2007-95, the following provisions shall apply :

- (i) Lot area (minimum) – 500m²
- (ii) Minimum interior side yard of 0.6 metres and 1.2 metres for lots with a rear lane access
- (iii) Lot frontage (minimum) – 17.1m (corner); 15.0 m (interior)
- (iv) Front yard depth (minimum) – 6.0m
- (v) Exterior side yard (minimum) – 3.0m
- (vi) Rear yard depth (minimum) – 6.0m
- (vii) Lot coverage (maximum) – 47 per cent
- (viii) Height of Building (maximum) – 10.6m
- (ix) Driveway width (maximum) – 6.7m
- (x) Front yard driveway and front yard parking is prohibited for the properties municipally known as 1101, 1103, 1105 and 1107 King Street West.

(By-Law Numbers 8499; 2007-95)

372. On the approximately 532.4 square metre parcel of land known as 349 Mack Street and zoned as 'A.372' on Zoning Map 20 attached to and forming part of amending By-Law 2007-144:

Notwithstanding any provisions of the By-Law to the contrary, the provisions of Section 6 for the "A" One-Family Dwelling and Two-Family Dwelling Zone shall apply to the 'A.372' Zone except the following:

- i) In addition to the provisions of Section 6.2, a day care centre shall also be permitted.
- ii) Notwithstanding the provisions of Section 5.3, a minimum of three on-site parking spaces shall be provided for any use permitted in Section i) above.
- iii) The setbacks of the building existing at the date of the passing of this by-law shall be deemed to comply.

(By-Law Numbers 8499; 2007-144)

373. Reserved.

374. On the approximately 542 m² (0.134 acre) parcel of land located at the north east quadrant of Forsythe Avenue and Wolfe Street known as 17 Forsythe Avenue, and zoned A2.374 on a copy of Zoning Map Number 26 attached hereto and forming part of By-Law Number 2007-157, the following regulations shall apply:

- (i) In addition to the uses permitted in the 'A2' Zone, as set out in Section 8.2 of this by-law, a triplex shall also be a permitted use, provided that the three units are contained within the walls of the building in existence as of the date of the passing of this by-law.
- (ii) Minimum lot area 542 square metres.
- (iii) Notwithstanding any provision to the contrary in this by-law, the parking spaces size and location in existence as of the date of the passing of this by-law shall be deemed to comply.

(By-Law Numbers 8499; 2007-157)

375. 84 Stephen Street

On the approximately 3,200 square metre parcel of land known as 84 Stephen Street and zoned as 'A.375' on Zoning Map Number 17, the following provisions shall apply:

- i) Additional Permitted Uses within the building existing as of the date of the passing of this By-Law:

Professional office;

Multiple family dwelling.

- ii) Maximum Number of Permitted Dwelling Units: 20
- iii) Minimum Lot Area: 3,150 square metres
- iv) Minimum Number of Off-Street Vehicle Parking: 19 parking spaces
- v) Outdoor Storage / Outdoor Display:

Outdoor storage and outdoor display associated with a professional office use shall not be permitted.
- vi) Deemed to Comply:

The building and site development existing as of the date of the passing of this by-law shall be deemed to comply with the regulations of this Zoning By-Law. In the event that the existing building on the site is removed, any new development shall be subject to the regulations of Section 6 of this by-law.

(By-Law Numbers 8499; 2008-19; 2008-72)

376. 880 Victoria Street (A5.376):

On the approximately 588 square metre parcel of land known as 880 Victoria Street and zoned as 'A5.376' on Zoning Map Number 14 attached to and forming part of amending By-Law 2008-136, notwithstanding any provisions of the by-law to the contrary, the provisions of Section 11 for the 'A5' Zone shall apply to the 'A5.376' Zone except that:

- (i) Additional Permitted Uses:

Day Care Centre
- (ii) Notwithstanding the provisions of Section 5.3A(b), a minimum of 2 off-street parking spaces shall be provided for any use permitted in Section (i) above, which spaces may be a minimum of 2.5m wide.
- (iii) Notwithstanding the provisions of Section 5.3B(c), parking may be provided in the front yard.
- (iv) Deemed to Comply:

The building and site development existing as of the date of the passing of this by-law shall be deemed to comply with the regulations of this Zoning By-Law. In the event that the existing building on the site is removed, any

new development shall be subject to the regulations of Section 11 of this by-law.

(By-Law Numbers 8499; 2008-136)

377. 198 Mack Street

Notwithstanding the provisions of Section 6.2 hereof to the contrary, on the lands designated 'A.377' on Schedule "A" attached hereto, the following regulations shall apply:

- a) That the following additional use be permitted:
 - a 'Daycare Centre'
- b) That notwithstanding any regulations to the contrary a maximum aggregate driveway width of 8.1 metres is permitted.
- c) That notwithstanding any regulations in Section 5.3 to the contrary a maximum aggregate of 4 parking spaces is permitted in the front yard and exterior side yard.

(By-Law Numbers 8499; 2008-137)

378. 372 Division Street:

Notwithstanding the provisions of Section 6.2 hereof to the contrary, on the lands designated 'C1.378' on Schedule "A" attached hereto, the following regulations shall apply:

- a) That the following uses shall only be permitted on the ground floor:
 - Retail store;
 - Neighbourhood store;
 - Offices for or in connection with a business or profession;
 - Restaurant; and
 - Laundromat.
- b) That a single residential unit be a permitted use on the second floor;

- c) Notwithstanding Section 5.3 to the contrary parking regulations shall not apply to the subject property;
- d) Maximum percentage lot coverage is 100 per cent; and
- e) Minimum setback for all yards shall be 0.0 metre.

(By-Law Numbers 8499; 2008-160)

379. On the approximately 0.42 hectare parcel of land known municipally as 342 Patrick Street, and zoned 'A.379' on Zoning Map Number 17 attached to and forming part of and amending By-Law Number 2008-161:

- i) A community facility shall be the only permitted use.
- ii) For the purpose of the 'A.379' Zone, the following definition shall apply:

Community Facility means a building where members of the public are provided with educational, social, cultural, or religious programs and where neither overnight care nor living accommodation is available.
- iii) Notwithstanding the provisions of Section 5.3, a minimum of 29 off-street parking spaces shall be provided.
- iv) The building and site development as of the date of the passing of this by-law shall be deemed to comply with the regulations of this Zoning By-Law.

(By-Law Numbers 8499; 2008-161)

380. M.380 (1093 John Counter Boulevard)

Notwithstanding the provisions of Section 31A hereof to the contrary, on the lands zoned 'M.380' on Schedule "A" hereto, the following regulations shall apply:

- a) All existing areas and facilities used for accessory retail purposes as of January 1, 2007 by a Supplies Dealer shall continue to be a permitted use to a maximum gross floor area of 760 square meters. The 760 square meters accessory retail use shall be a permitted use until such time as the primary use, defined herein as a "supplies dealer", ceases to exist at which time the following provisions shall apply to the whole of the property;

Permitted Uses:

- Maximum 25 per cent gross floor area per unit for an accessory retail use.
- b) All expansions to the existing building, or any new buildings, after January 1, 2007 shall be permitted a maximum 25 per cent gross floor area per unit for an accessory retail use.
- c) Maximum one vendor licensed to sell food on the subject property, excluding a restaurant.
- d) For purpose of the M.380 zone, **Supplies Dealer** means an establishment where the primary purpose is the storage and sale of household and agricultural goods, wares, and merchandise to the public.

(By-Law Numbers 8499; 2008-201)

381. 34 Barbara Avenue

On the approximately 929 square metre parcel of land known as 34 Barbara Avenue and zoned as 'A5.381' on Zoning Map Number 14 attached to and forming part of amending By-Law Number 2009-25, the following provisions shall apply:

- i) Additional Permitted Uses within the Building Existing as of the Date of the Passing of this By-Law:
- Multiple family dwelling containing no more than three dwelling units
- ii) Minimum Lot Area: 929 m²
- iii) Minimum Number of Off-Street Vehicle Parking Spaces: 3 parking spaces
- iv) Deemed to Comply:

The building, accessory garage and site development existing as of the date of the passing of this by-law shall be deemed to comply with the regulations of this Zoning By-Law. In the event that the existing building or accessory garage on the site is removed, any new development shall be subject to the regulations of Section 11 of this by-law.

(By-Law Numbers 8499; 2009-25)

382. 225 and 227 Earl Street

On the approximately 600 square metre parcel of land known as 225 and 227 Earl Street and zoned as 'B1.382' on Zoning Map Number 30 attached to and forming part of amending By-Law Number 2009-43, the following provisions shall apply to the entire area zoned 'B1.382':

- i) Minimum Front Yard: 3.0 metres
- ii) Minimum Side Yard: There shall be no minimum side yard setback requirement for a residential building having two storeys or less.
- iii) Maximum Density: 140 dwelling units / hectare
- iv) Minimum Lot Width: 16.0 metres
- v) Projection into Yards:
 - (a) A covered or uncovered unenclosed porch, deck, balcony or veranda may project out from the main building wall providing it is no closer than 1.5 metres to the front lot line.
 - (b) A step may project out from the main building wall up to the front lot line.
 - (c) There shall be no minimum setback from the interior side lot line of a common party wall for a covered or uncovered unenclosed porch, deck, balcony, step or veranda.
- vi) Minimum Number of Parking Spaces: 6 parking spaces
- vii) Minimum Size of a Parking Space: 2.58 metres wide by 6.0 metres long
- viii) Minimum Number of Bicycle Parking: 12 spaces.

(By-Law Numbers 8499; 2009-43)

383. On the approximately 0.63 hectare parcel of land known municipally as 1469 Princess Street, and zoned 'C2.383' on Zoning Map Number 11 attached to and forming part of amending By-Law Number 2009-90, the following provisions shall apply:

- i) Notwithstanding the provisions of Section 22, a "commercial school" shall also be a permitted use.

- ii) Notwithstanding the provisions of Section 5.3, a minimum of 84 off-street parking spaces shall be provided.

(By-Law Numbers 8499; 2009-90)

384. 'M9.384', 967 Sir John A. Macdonald Boulevard

Notwithstanding the provisions of Section 31B.1 hereof to the contrary, for the lands designated 'M9.384' on Schedule "A" to By-Law Number 2009-93, the following regulations shall apply:

- Permitted Uses shall be limited to the following:
 - Automobile service station;
 - accessory retail use to an automobile service station;
 - A restaurant, including a drive through restaurant;
 - A car wash; and
 - Accessory building to any use permitted in the M9.384 Zone.
- That notwithstanding any M9 provisions to the contrary the following C2 zone provisions shall apply: all of Section 22.3.

(By-Law Numbers 8499; 2009-93)

385. Reserved.

386. 'E.386', 390 King Street West

Notwithstanding the provisions of Section 5 and 17 hereof to the contrary, the lands zoned 'E.386' on Schedule "A" hereto, the following regulations shall apply:

- a) Additional Permitted uses:
 - Theatre;
 - Auditorium; and
 - Accessory uses to a theatre and auditorium
- b) Prohibited Uses:
 - Convocation ceremony.
- c) Off-Street Parking shall be provided as follows:
 - (1) A total of 180 parking spaces shall be provided for Off-Street Parking. Required parking shall be provided either on-site or in off-site parking facilities, but shall not be provided using on-street parking.

- (2) The minimum size of a parking space located in the E.386 Zone shall be 2.6 metres wide and 5.2 metres long.
- (3) The minimum width of a drive aisle adjacent to a parking space shall be 6.7 metres.
- d) Minimum Setback from Lake Ontario Waterfront to the face of any building shall be 15.8 metres.

(By-Law Number 8499; 2010-189)

387. 'P1.387', 370 King Street West

Notwithstanding the provisions of Section 33 hereof to the contrary, for the lands designated 'P1.387' on Schedule "A" to By-Law Number 2010-168, the following regulations shall apply:

- a) That notwithstanding any provisions to the contrary the lands subject to the provisions of the 'P1.387' Zone shall be applied as though the lands are single parcel for zoning purposes.
- b) Maximum Height: 33 metres – to allow for a modern interpretation of the malting tower and for rooftop mechanical installations at the south end of the building not to exceed one-third of the rooftop area in total.
- c) Minimum Front, Side and Rear Yards: 0.0 metres
- d) Off-Street Parking:
 - i. Notwithstanding Section 5.3 to the contrary no off-street parking is required; and
 - ii. Notwithstanding any regulation to the contrary the subject property shall be deleted from Schedule K of Zoning By-Law Number 8499.
- e) Off-Street Loading: Notwithstanding Section 5.4 to the contrary one loading area measuring 3.0 metres wide and 7.5 metres long shall be provided within the P1.387 Zone.

(By-Law Numbers 8499; 2010-168)

388. 177 to 179 Alfred Street

Notwithstanding the provisions of Sections 5 and 13 hereof to the contrary, the lands designated 'B.388' on Schedule "A" hereto, the following regulations shall apply:

1. Shall have a total of 6 dwelling units;
2. Maximum Interior Side Yard Width of 2.50 metres;
3. Maximum lot coverage of 37.5 per cent;
4. Minimum Amenity and Play Space Area of 467 square metres
5. Minimum driveway width of 2.5 metres; and
6. A single vehicle ingress and egress shall be permitted.

(By-Law Numbers 8499; 2010-3)

389. 652 Dalton Avenue

Notwithstanding the provisions of Section 31A hereof to the contrary, on the approximately 0.96 hectare parcel of land known municipally as 652 Dalton Avenue, and zoned 'M.389' on Zoning Map Number 1 attached to and forming part of amending By-Law Number 2010-35, the following provisions shall also apply:

- a) Additional Permitted Uses
Restaurant
Business or Professional Office
- b) Minimum Front Yard: 8.5 metres
- c) Distance From Wetland:

No development shall be within 30 metres of the boundary of the Little Cataraqui Creek wetland; an encroachment of up to 7 metres into the setback is permitted within 20 metres of the exterior side lot line, subject to the approval of the Cataraqui Region Conservation Authority.

(By-Law Numbers 8499; 2010-35)

390. 771 Montreal Street

Notwithstanding the provisions of Sections 5 and 14 hereof to the contrary, the lands designated 'B1.390' on Schedule "A" hereto, the following regulations shall apply:

(a) Definitions:

For the purpose of the 'B1.390' zone, the following definitions shall apply:

(i) Transitional House:

A residential building containing a maximum of 15 dwelling units or habitation units within a facility where the individual is participating in assistance or counselling programs in a training and counselling centre located on the subject property. The residential building is subject to 24 hour supervision. A transitional house does not include a community home, recovery home or boarding house as defined in Zoning By-Law Number 8499.

(ii) Training and Counselling Centre:

A place where an individual can obtain assistance through the application of mental health, psychological or human development principles, through cognitive, affective, behavioural or systematic intervention strategies that address wellness, personal growth or career development and includes programs that are designed to bring an individual to an agreed standard of proficiency in a prescribed skill or trade.

(b) Additional Permitted Uses:

(i) Office use

(ii) Transitional house

(iii) Training and counselling centre

(c) Parking:

(i) The minimum required aggregate parking for a combined office, transitional house and training and counselling centre shall be 13 parking spaces. For all other permitted uses the regulations of Section 5.3 shall apply.

- (ii) Front yard parking is permitted for a combined office, transitional house and training and counselling centre.
- (d) Bicycle Parking:
 - (i) A minimum of ten bicycle parking spaces in accordance with Section 4.7A shall be provided for a combined office, transitional house and training and counselling centre.
 - (ii) A bicycle parking structure shall be located a minimum of 1.2 metres from a side lot line.
- (e) Loading Facilities:

A loading bay is not required for a combined office, transitional house, and training and counselling centre. For all other permitted uses the regulations of Section 5.4 shall apply.
- (f) Play Space

There shall be no play space requirement for a combined office, transitional house, and training and counselling centre. For all other permitted uses the regulations of Section 5.27 shall apply.
- (g) Minimum Floor Area:

The minimum floor area for a transitional house unit shall be 18.5 square metres.
- (h) Minimum Rear Yard:

4.7 metres for an office, transitional house, and training and counselling centre.

(By-Law Numbers 8499; 2010-52; 2015-79)

391. 1305 Princess Street

Notwithstanding the provisions of Section 22 hereof to the contrary, on the approximately 0.078 hectare parcel of land known municipally as 1305 Princess Street, and zoned 'C2.391' on Zoning Map Number 12 attached to and forming part of amending By-Law Number 2010-79, the following provisions shall also apply:

- a) Minimum Front Yard: 9.61 metres
- Minimum Side Yard when abutting an open space zone, residential zone, or a street: 7.43 metres.

(By-Law Numbers 8499; 2010-79)

392. 817 Division Street

Notwithstanding any provisions of Section 31B.1 hereof to the contrary, on the lands zoned 'M9.392' on Schedule "A" attached hereto, the following provisions shall apply:

- a) Permitted Uses:
 - i) corporate administrative office
 - ii) day care centre, accessory to a corporate administrative office
- b) Minimum Yards:
 - i) north property line – 10.0 metres
 - ii) east property line – 7.5 metres
 - iii) south property line – 6.0 metres
 - iv) west property line – 7.5 metres
- c) Minimum Lot Occupancy: 12 per cent
- d) Minimum Off-Street Parking:
 - i) corporate administrative office: 2.96 parking spaces per 100m² of gross floor area
 - ii) day care centre: 0.85 parking spaces per 100m² of gross floor area
- e) Minimum Off-Street Loading Facilities:
 - i) 1 off-street loading space
 - ii) Loading facilities shall be located at the rear or interior side of a building only.
- f) Landscaping Area:

adjacent to existing or proposed street, not less than 7.5 metre of landscaped area, excluding driveway;

(By-Law Numbers 8499; 2010-88)

393. Reserved.

394. Reserved.

395. 326 Alfred Street

(OMB Decision received / Motion to Dismiss / issue date November 19/2010)

Notwithstanding any provisions of Section 16 hereof to the contrary, on the lands zoned 'B3.395' on Schedule "A" attached hereto, the following provisions shall apply:

- a) Permitted Use: multiple family dwelling
- b) Minimum Yards:
 - (i) north property line – 4.6 metres
 - (ii) from Alfred Street – 1.5 metres
 - (iii) south property line – 8.5 metres
 - (iv) from Frontenac Street – 53 metres
- c) Maximum Building Height: 10.5 metres
- d) Maximum Lot Occupancy: 110 per cent
- e) Maximum Number of Residential Units: 18
- f) Maximum Number of Bedrooms per Unit: 4
- g) Maximum Number of Bedrooms: 66
- h) Bedroom: shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:
 - i) Common areas open to all occupants of the unit;
 - ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
 - iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

Notwithstanding the foregoing, for the purposes of this definition, a bachelor, bachelorette or studio unit shall be calculated to contain one bedroom.

- i) Minimum Number of On-Site Parking Spaces: 18 parking spaces
- j) Minimum Size of a Parking Space: 2.6 metres wide by 6.0 metres long
- k) Minimum Amenity Space Area: 775 square metres
- l) Notwithstanding any provisions of Section 5.8 hereof to the contrary, on the lands zoned 'B3.395' on Schedule "A" attached hereto, the following provisions shall apply:

Projection into Yards:

- (i) A covered or uncovered unenclosed porch, deck, balcony or veranda may project out from the main building wall providing it is no closer than 3.7 metres to the north lot line and 7.0 metres to the south lot line.
- (ii) Uncovered steps may project 1.4 metres out from a covered or uncovered unenclosed porch, deck, or veranda providing it is no closer than 5.7 metres to the south lot line.
- (iii) A step and covered or uncovered unenclosed porch may project out from the main building wall up to the front lot line.
- (iv) There shall be no minimum setback from the interior side lot line of a common party wall for a covered or uncovered unenclosed porch, deck, balcony, step or veranda.
- (v) Cornices, eaves, belt courses, sills, canopies, or other similar architectural features (not including bay windows or vertical projections) may extend or project into a required side yard not more than 0.6 metres and may extend or project into a required front or rear yard not more than 0.8 metres. Chimneys may also project into a required front, side, or rear yard not more than 0.3 metres.

(By-Law Numbers 8499; 2010-167; 2013-149)

(OMB Decision received / Motion to Dismiss / issue date November 19/2010)

396. 105 Colborne Street

Notwithstanding the provisions of Section 5.23 or Section 6 hereof to the contrary, the lands zoned 'A.396' on Schedule "A" hereto, the following regulations shall apply:

- a) The minimum lot area for a two family dwelling shall be 560 square metres.
- b) The permitted two family dwelling may contain a maximum of 210 square metres of gross floor area. For the purposes of this section the area contained in the basement is excluded from the gross floor area calculation.
- c) The total number of bedrooms shall not exceed 6 bedrooms for the entire property.
- d) The maximum area of the back yard that may be used for uncovered vehicle parking shall be limited to 40 square metres.

(By-Law Numbers 8499; 2010-203)

397. (630 Princess Street)

Notwithstanding the provisions of Sections 5 and 20 hereof to the contrary, the lands zoned 'C.397' on Schedule 'A' hereto, the following regulations shall apply:

- i) Additional Permitted Uses shall include: mixed commercial/residential use;
- ii) Prohibited Uses shall include: a hotel/motel use, a marina use sales room or yards for motor vehicles; including automotive service stations; and automotive repair shops that install and service previously manufactured parts.

The following provisions shall apply to a mixed commercial/residential use only:

- i) Maximum residential density shall be 261 Units per hectare;
- ii) Maximum number of residential units – 31
- iii) No portion of the building, including but not limited to footings, weeping system, eaves and downspouts shall encroach into the City's right-of-way;
- iv) Minimum Interior side yard setback shall be 3.0 metres;
- v) Permitted Encroachments:
 - a) An access stairwell is permitted to encroach a maximum of 1.5 metres into the interior side yard.

- b) An awning with a vertical clearance of 2.1 metres is permitted to encroach a maximum of 2 metres into the interior side yard.
- vi) Minimum setback from Princess Street and Nelson Street shall be 0.0 metres;
- vii) Minimum setback from the southerly property line to the face of the building shall be 6.0 metres;
- viii) Maximum lot coverage shall be 100%;
- ix) Maximum Building Height: 21.55 metres to top of structure;
- x) Maximum number of storeys: 5;
- xi) Average number of bedrooms per unit shall not exceed 3.3;
- xii) Maximum number of bedrooms per dwelling: 4;
- xiii) The minimum size of a parking space shall be 2.6 metres wide and 5.2 metres long;
- xiv) The minimum width of a drive aisle adjacent to a parking space shall be 6.1 metres;
- xv) Minimum number of residential parking spaces shall be 20;
- xvi) Minimum number of commercial parking spaces: 3 to be located within 750 metres of the property;
- xvii) the minimum vertical clearance for a barrier free parking space height shall be 2.1 metres;
- xviii) Minimum Bicycle Parking Dimensions shall be 1.8 metres x 0.3 metres and a minimum overhead clearance of 2.1 metres;
- xix) The following Definition shall apply to the C.397 Zone:
 - a) AMENITY AREA – The area situated within the boundaries of any residential development site intended for recreational purposes, and may include landscaped open space, patios, private amenity areas, balconies, communal lounges, swimming pools, children’s play areas, and similar uses, but does not include any area occupied at grade by a building’s service areas, parking areas, parking aisles, or driveways.
 - b) BEDROOM: shall mean any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
 - i) Common areas open to all occupants of the unit;
 - ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
 - iii) Areas occupied by mechanical equipment, such as furnaces,
 - iv) Hot water heaters and laundry equipment.

- xx) Minimum amenity space area: 1,650 square metres;
- xxi) Minimum play area: 0.0 square metres;
- xxii) Loading bay is not required;
- xxiii) Balconies below the fourth storey are prohibited in yards that directly abut Princess or Nelson Streets

**(By-Law Numbers 8499; 2010-231 as amended by order of the Ontario
Municipal Board PL110002)**

398. Reserved.

399. 333 Kingscourt Avenue

Notwithstanding any provisions of Section 5 or Section 11 hereof to the contrary, on the lands zoned 'A5.399' on Schedule "A" attached hereto, the following provisions shall apply:

a) Permitted Use:

In addition to the uses permitted in Section 11.2, the property may be used for a Crisis Care Shelter

b) Minimum Separation:

Notwithstanding Section 5.33(ii), a Crisis Care Shelter or Community Home shall be permitted to be located within 250.0 metres from any other Crisis Care Shelter, Recovery Home, Corrections Residence, Detoxification Centre, Residential Care Facility, Community Support House and Community Home.

c) Minimum Front Yard: 7.0 metres

d) Front Yard Parking:

Parking facilities may be located in the front yard space. The parking facility may extend from the front of the house to the front lot line and be a maximum width of 6.0 metres.

e) Projection into Front Yard:

A step and covered or uncovered unenclosed porch may project out from the main building wall not closer than 5.0 metres to the front lot line.

(By-Law Numbers 8499; 2011-95)

400. 195 Union Street

Notwithstanding the provisions of Section 6 hereof to the contrary, on the approximately 604 square metre parcel of land known municipally as 195 Union Street, and zoned 'A.400' on Zoning Map Number 30 attached to and forming part of amending By-Law Number 2011-133, the following provisions shall also apply:

- a) Permitted number of residential units for the existing building: 3
- b) Required number of parking spaces per residential unit: 1
- c) Maximum lot coverage for the existing building: 53 per cent
- d) Setback from lot line abutting Union Street: 0.5m
- e) Setback from lot line abutting Collingwood Street: 2.9m
- f) Setback from northerly lot line: 1.8m

(By-Law Numbers 8499; 2011-133)

401. 171A Union Street

Notwithstanding any provisions of Section 5 or Section 6 hereof to the contrary, on the lands zoned 'A.401' on Schedule "A" attached hereto, the following provisions shall apply to the entire area zoned 'A.401':

- a) Permitted Use:
In addition to the uses permitted in Section 6.2, the property may be used for a multiple family dwelling containing three units
- b) Maximum Number of Dwellings per Lot: 1
- c) Minimum Lot Area: 712 square metres
- d) Maximum Number of Bedrooms: 7
- e) Minimum Number of On-Site Parking Spaces: 3 parking spaces
- f) Maximum Size of a Parking Area: up to 50 square metres of the rear yard of the multiple family dwelling containing three units may be used as uncovered parking area
- g) Deemed To Comply:

The multiple family dwelling containing three units existing as of the date of the passing of this by-law shall be deemed to comply with the maximum building height regulations of this Zoning By-Law. In the event that the existing building on the site is removed, any new development shall be subject to the regulations of Section 6 of this by-law.

(By-Law Numbers 8499; 2011-96)

402. 171B Union Street

Notwithstanding any provisions of Section 5 or Section 6 hereof to the contrary, on the lands zoned 'A.402' on Schedule "A" attached hereto, the following provisions shall apply to the entire area zoned 'A.402':

- a) Permitted Use: single family dwelling
- b) Maximum Number of Dwellings per Lot: 1
- c) Maximum Number of Bedrooms: 3
- d) Minimum Width of Driveway: 4.6 metres

(By-Law Numbers 8499; 2011-96)

403. 369 Dalton Avenue

Notwithstanding the provisions of Section 31B.1 hereof to the contrary, on the approximately 1.75 hectare parcel of land known municipally as 369 Dalton Avenue, and zoned 'M9.403' on Zoning Map Number 1 attached to and forming part of amending By-Law Number 2011- , the following provisions shall also apply:

- a) Additional Permitted Uses
 - Bank or Financial Institution
 - Restaurant
 - Clinic
 - Retail store
- b) Permitted Uses within the Building as Existing on the Passing of this By-Law:
 - Warehouses
 - Wholesale businesses
 - Technical Training Facility
- c) Retail and commercial uses such as banks or financial institutions, restaurant, clinics, and retail stores shall be limited to 25 per cent of the total gross floor area.

- d) Accessory retail uses associated with the sale of products assembled and / or manufactured on the site shall be limited to a maximum of 25 per cent of the gross floor area for any single tenant or business.
 - e) Minimum Lot Area: 8,000 square metres
 - f) Maximum Height: 25 metres
 - g) Minimum Landscape Open Space: 20 per cent
- (By-Law Numbers 8499; 2011-108)

404. Notwithstanding the provisions of Section 12A hereof to the contrary, on the approximately 900 square metre parcel of land known municipally as 234 Briceland Street, and zoned 'A7.404' on Zoning Map Number 8 attached to and forming part of amending By-Law No. 2011-148 , the following provisions shall also apply:

- i) RESIDENTIAL USES PERMITTED: Two-family dwellings
- ii) MAXIMUM DRIVEWAY WIDTH: 5.1 metres.”

(By-Law Numbers 8499; 2011-148)

405. 322 Elmwood Street

Notwithstanding the provisions of Section 8 hereof to the contrary, on the approximately 739.1 square metre parcel of land known municipally as 322 Elmwood Street, and zoned 'A2.405' on Zoning Map Number 21 attached to and forming part of amending By-Law Number 2011-120, a triplex shall also be a permitted use provided that the three residential units are contained within the walls of the building in existence as of the date of the passing of this by-law.

(By-Law Numbers 8499; 2011-120)

406. 274 Frontenac Street

(Holding Special One Family Dwelling and Two Family Dwelling 'A.406-H' Zone)

Notwithstanding the provisions of Section 6 hereof to the contrary, the lands designated 'A.406-H' on Schedule "A" hereto, the following regulations shall apply:

- i) Minimum Lot Area: 254 square metres per dwelling unit;
- ii) Minimum Side Yard Setback from the south property line only shall be 1.2 metres; and

- iii) An –H Symbol be applied with only the following regulation and requirement:

Notwithstanding Section 5.39 to the contrary the –H Symbol shall not prevent the issuance of a demolition permit and building permit provided said permit does not require additional excavation and / or upgrading of services outside of the building envelope. If additional excavation and/or upgrading of services is required, then an Archaeological Assessment, Stage 2 shall be completed for the areas to be disturbed shall be completed to the satisfaction of the City and the Ministry of Tourism and Culture and the -H Symbol be removed.

(By-Law Numbers 8499; 2011-145)

407. 110 Centre Street

Notwithstanding any provisions of Section 5 or Section 6 hereof to the contrary, on the lands zoned 'A.407' on Schedule "A" attached hereto, the following provisions shall apply to the entire area zoned 'A.407':

- a) Minimum Front Yard Setback: 12.6 metres
Unenclosed porches, decks, balconies, steps, and / or verandas, covered or uncovered, shall not be permitted to project into the front yard setback.
- b) Minimum Aggregate Side Yard: 3.05 metres.

(By-Law Numbers 8499; 2011-121)

408. 98 Centre Street

Notwithstanding any provisions of Section 5 or Section 6 hereof to the contrary, on the lands zoned 'A.408' on Schedule "A" attached hereto, the following provisions shall apply to the entire area zoned 'A.408':

- a) Minimum Front Yard Setback: 12.6 metres
Unenclosed porches, decks, balconies, steps, and/or verandas, covered or uncovered, shall not be permitted to project into the front yard setback.

(By-Law Numbers 8499; 2011-121)

409. 797 Princess Street

Notwithstanding the provisions of Section 20 hereof to the contrary, on the approximately 0.35 hectares parcel of land known municipally as 797 Princess Street, and zoned "C" on Zoning Map Number 20 attached to and forming part of amending By-Law Number 2011- , the following provisions shall also apply:

- a) Permitted Commercial Use: Commercial School
- b) Minimum number of off-street parking: 99 spaces

- c) Minimum number of off-street accessible parking spaces: 3

(By-Law Numbers 8499; 2012-18)

410. 1338 Princess Street

Notwithstanding the provisions of Section 15 hereof to the contrary, the lands designated 'B2.410' on Schedule "A" hereto, the following regulations shall apply:

- 1) The maximum number of dwelling units permitted on the site shall be 103 dwelling units.
- 2) The minimum number of parking spaces required shall be 109 spaces.
- 3) The minimum amount of landscaped open space shall be 12,800 square metres; this space may also be part of the area used for Play Space and Amenity Space.

(By-Law Numbers 8499; 2012-19)

411. Reserved.

412. 148 Nelson Street

Notwithstanding the provisions of Section 5 and 6 hereof to the contrary, the lands designated 'A.412' on Schedule "A" hereto, the following regulations shall apply:

- a) Minimum Lot Area for 2 dwelling units shall be 425 square metres;
 - b) The maximum parking area in the rear yard shall be 33 square metres;
 - c) Maximum aggregate total number of bedrooms permitted shall be 9; and,
- Front yard parking is prohibited.

(By-Law Numbers 8499; 2012-89)

413. 278-280 Frontenac Street

Notwithstanding the provisions of Section 5 and 13 hereof to the contrary, the lands designated 'B.413' on Schedule "A" hereto, the following regulations shall apply:

- 1) Maximum number of dwelling units shall be 3;
- 2) Additional dwelling units are prohibited;
- 3) Minimum Front Yard Setback: 3.90 metres;

4) Maximum number of bedrooms per dwelling unit shall be 4;

5) Maximum Aggregate bedrooms shall be 12; and

The Maximum parking area in the rear yard shall be 49 square metres.

(By-Law Numbers 8499; 2012-90)

414. 280 Regent Street

Notwithstanding the provisions of Section 5 and 14 hereof to the contrary, the lands designated 'B1.414' on Schedule "A" hereto, the following regulations shall apply:

- that two dwelling units be permitted; and,
- that the aggregate total maximum number of bedrooms permitted shall be 4.

(By-Law Numbers 8499; 2012-91)

415. 247 Portsmouth Avenue

Notwithstanding the provisions of Section 7 hereof to the contrary, on the approximately 0.2 ha parcel of land known municipally as 247 Portsmouth Avenue, and zoned 'A1.415' on Schedule "A" attached to and forming part of amending By-Law Number 2012-, the following provisions shall also apply:

- a) A Supportive Living Residence shall be permitted.
- b) For the purpose of the 'A1.415 zone', the following definition shall apply:

Supportive Living Residence means a residence providing accommodation primarily for retired persons or couples where each Supportive Living Residence Suite has a private bathroom, a separate entrance from a common hall, and a kitchenette which may include convenience facilities such as a bar fridge and a microwave oven but without full cooking facilities. Common facilities for the preparation and consumption of food are provided. Common lounges, recreation rooms, and guest / clinic rooms may also be provided for use by residents and support staff. The Manager's residence is a dwelling unit and is permitted to have full kitchen facilities.

- c) Supportive Living Residence provisions:

- i. Maximum number of Supportive Living Residence Suites: 16
- ii. Maximum number of manager's residence: 1
- iii. Minimum front yard setback: 6.0 metres
- iv. Minimum side yard setback: 4.0 metres
- v. Minimum aggregate side yard Setback: 11.0 metres
- vi. Minimum rear yard setback: 19.0 metres
- vii. Maximum height: 12.5 metres
- viii. Minimum required number of parking spaces per Suite: 0.7

(By-Law Numbers 8499; 2012-121)

416. 522-524 Johnson Street

Notwithstanding the provisions of Section 13 hereof to the contrary, on the approximately 0.06 ha parcel of land known municipally as 522-524 Johnson Street, and zoned 'B.416' on Schedule "A" attached to and forming part of amending By-Law Number 2012-, the following provisions shall also apply:

- a) Maximum permitted number of residential units: 6
- b) Minimum setback
 - i. front yard: 2.7 metres
 - ii. side yard: 1.2 metres
 - iii. aggregate side yard: 2.4 metres
 - iv. from front lot line for unenclosed porches: 0.0 metres
- c) Required number of accessible parking spaces: 0
- d) Maximum lot coverage: 37 per cent
- e) Maximum density: 100 dwelling units per net hectare
- f) Minimum required amenity area: 230.0 square metres

(By-Law Numbers 8499; 2012-120)

417. 270 Frontenac Street

Notwithstanding the provisions of Section 5 and Section 14 hereof to the contrary, the lands designated 'A.417' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Minimum Lot Area 260 square metres/dwelling unit
- (b) Maximum Number of Dwelling Units: 2
- (c) Minimum Aggregate Side Yard Setback 2.6 metres

(By-Law Numbers 8499; 2012-134; 2017-200)

418. 618-628 Bagot Street

Notwithstanding the provisions of Section 6 hereof to the contrary, the lands designated 'A.418' on Schedule "A" hereto, the following regulations shall apply:

- i. That the minimum lot area per unit shall be 290 square metres; and
- ii. That structures and buildings legally constructed prior to the passing of the by-law shall be deemed to comply.

(By-Law Numbers 8499; 2013-15)

419. 540 Montreal Street

Notwithstanding the provisions of any section of this by-law to the contrary on the property known municipally as 540 Montreal Street, and zoned 'B1.419' on Zoning Map Number 17 attached to and forming part of amending By-Law Number 2012-, the following provisions shall also apply:

- a) Additional Permitted Uses
 - Office;
 - Crisis Care Shelter;
 - Recovery Home;
 - Community Centre; and
 - Community Support House.

The above uses shall be subject to the provisions of Section 5 of this by-law.

- b) The following Accessory Uses to an Additional Permitted Use, listed above, or a Community Home or Residential Care Facility are permitted:

Clinic;

Education Centre;

Education Facility;

Restaurant use, excluding a drive through and not greater than 60 square metres; and

Retail Use; not greater than 80 square metres.

- c) Minimum Parking Spaces: 18
- d) Offsite Parking within 150 metres is permitted
- e) Minimum Bicycle Parking Spaces: 12
- f) Maximum Height: 11 metres
- g) Minimum Front Yard: 1.2 metres
- h) Minimum Side Yard: 1.6 metres
- i) Minimum Rear Yard: 7.0 metres
- j) That there are no minimum separation requirements for the following uses:
- i. Community Home;
 - ii. Crisis Care Shelter;
 - iii. Residential Care Facility;
 - iv. Recovery Home; and
 - v. Community Support House
- k) Total minimum amenity area and play space shall be 46 square metres.

- l) No loading space is required.

- m) Notwithstanding Section 5.39(iii) to the contrary the “-H” Holding Symbol shall only be removed once the following requirements have been complied with:
- A Record of Site Condition has been approved by the Ministry of Environment and a copy received by the City;
 - That, if necessary, any remediate required to make the subject property safe for human habitation has been completed to the satisfaction of the Ministry of Environment and the City.

(By-Law Numbers 8499; 2013-17)

420. 993 Princess Street

Notwithstanding the provisions of Section 25 hereof to the contrary, the lands designated ‘M2-420’ on Schedule “A” hereto, the following regulations shall apply:

- a) Additional Permitted Uses:
- (i) Recreational Use
 - (ii) Community Centre
 - (iii) Creativity Centre
- b) **Definitions:**
For the purpose of the ‘M2-420’ zone, the following definition shall apply: RECREATIONAL USE means a leisure time activity undertaken within an enclosed structure for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment and social or cultural activities, and shall allow a performing arts group but shall not include a place of amusement.
- c) Notwithstanding any provisions to the contrary the maximum permitted aggregate gross floor area of all recreational, community centre and creativity centre uses shall not exceed 8,200 square metres.

(By-Law Numbers 8499; 2013-13)

421. Special Commercial C.421 Zone, 653-663 Princess Street and 582-604 Victoria Street

Notwithstanding the provisions of Section 4, 5 and 20 hereof to the contrary, on the lands designated 'C.421', the following regulations shall apply:

- a) Front Yard Setback:
 - i) That the minimum setback from the centre of the Princess Street right-of way shall be 11.0 metres;
 - ii) That the minimum setback to a bedroom window on the first storey and facing the street shall be 1.2 metres; and
 - iii) That along Victoria Street and Bartlett Street South decorative fencing or planting is required to be provided between the sidewalk and any bedroom window to restrict access to the area within the required setback; and
 - iv) That the minimum setback from Victoria Street and Bartlett Street South, excluding an exterior wall containing a bedroom window on the first storey and facing the street, shall be 0.0 metres;
- b) Interior Side Yard Setback Minimum: 1.9 metres;
- c) Maximum Building Height: 20.6 metres;
- d) Bay windows and vertical projections above the first storey may extend or project into the required front yard on Princess Street not more than 0.8 metres.
- e) "Amenity Area, means the area situated within the boundaries of any residential development site intended for recreation purposes, and may include landscaped open space, patios, private amenity areas, balconies, communal lounges, swimming pools, 'Children's Play Areas', and similar uses, but does not include any area occupied at grade by a building's service areas, parking areas, parking aisles or driveways."
- f) Minimum amenity area shall be not less than 6214 square metres;

- g) Minimum Aggregate Commercial Area shall be 525 square metres;
- h) Minimum Children's Play Area: 0.0 square metres;
- i) Balconies, excluding Juliet style window openings, below the third storey facing Princess Street are prohibited;
- j) Maximum number of bedrooms for a dwelling unit shall be 5;
- k) Maximum number of dwelling units consisting of 5 bedrooms shall be 25;
- l) Average number of bedrooms per dwelling unit shall be 3.5 bedrooms / unit.
- m) Maximum number of Dwelling units Shall be 145;
- n) A dwelling unit(s) is permitted in a cellar;
- o) Maximum aggregate total number of bedrooms shall be 505;
- p) Bedroom: shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:
 - 1) Common areas open to all occupants of the unit;
 - 2) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
 - 3) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
- q) Maximum Density: The maximum permitted density may be increased to 235 units per hectare for a contribution towards the upgrading and improvement of Victoria Park in an amount equivalent to the required cash-in-lieu of parkland dedication contribution calculated for the approved development. The bonus is subject to the property owner entering into a development agreement with the City, which will establish a high quality of architectural design and human scale development consistent with the City's long term vision for the Williamsville Main Street Study area. The specific amount will be contained in the bonusing clause of the development agreement;
- r) Number of required loading spaces is 0;

- s) Minimum Number of Commercial Parking Spaces: 10
- t) Minimum Number of Residential Parking Spaces shall be 0.75 spaces per dwelling unit;
- u) Minimum Bicycle Parking Dimensions shall be 1.8 metres by 0.3 metres and a minimum overhead clearance of 2.1 metres
- v) Minimum overhead clearance for an accessible parking space shall be 2.1 metres;
- w) Minimum standard parking dimensions, excluding accessible parking dimensions shall be 2.6 metres by 5.2 metres with a minimum aisle width of 6.0 metres; and
- x) That the properties subject to this zone be treated as a single parcel for the purpose of zoning interpretation.

(By-Law Numbers 8499; 2013-65; 2013-219)

422. C.422, 464 Frontenac Street and 572-574 Princess Street

Notwithstanding the provisions of Section 5 and 20 hereof to the contrary, the lands designated 'C.422' on Schedule "A" hereto, the following regulations shall apply:

- i) 464 Frontenac Street Permitted uses shall be limited to:
 - a) a 21 residential dwelling units building; and
 - b) a home occupation.
- ii) Front Yard Setback:
 - a) 574 Princess Street shall be a minimum setback of 4.7 metres;
 - b) 464 Frontenac Street shall be a minimum setback of 1.6 metres.
- iii) Side Yard and Rear Yard Setback:
 - a) 464 Frontenac Street minimum setback from south property line shall be 7.3 metres;
 - b) 464 Frontenac Street minimum setback from north property line shall be 0.0 metre;
 - c) 464 Frontenac Street minimum setback from west property line shall be 2.1 metres.
- iv) Parking Dimensions:
 - a) Standard parking space: 2.6 by 5.2 metres;
 - b) Barrier free parking space 3.7 by 5.2 metres;
 - c) Minimum isle width shall be 6.1 metres.
- v) Parking Spaces:
 - a) Minimum number of total parking spaces shall be 51;
 - b) Minimum number of barrier free parking spaces shall be 4.
- vi) Play Space Area: 0.0 square metres.

- vii) Amenity Space Area: minimum amenity space area shall be 1265 square metres.
- viii) “Amenity Area, means the area situated within the boundaries of any residential development site intended for recreation purposes, and may include landscaped open space, patios, private amenity areas, balconies, communal lounges, swimming pools, ‘Children’s Play Areas’, and similar uses, but does not include any area occupied at grade by a building’s service areas, parking areas, parking aisles or driveways.”
- ix) The average number of bedrooms shall not exceed 3.5 bedrooms per unit.
- x) The maximum number of bedrooms per unit shall be 4. Additional bedrooms per unit are prohibited.
- xi) Bedroom: shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:
 - a) Common areas open to all occupants of the unit;
 - b) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
 - c) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
- xii) Encroachment:
 - a) 464 Frontenac Street the minimum encroachment into the required front yard for porches, decks, steps and verandas, covered or uncovered shall be 1.6 metres.
- xiii) A planting strip, a minimum 3.0 metres in width, shall be established along the full extent of the south property line of 464 Frontenac Street and a planting strip shall be used for no other purpose than planting a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not less than 1.5 metres high, immediately adjacent to the lot line or portion thereof along which such planting strip is required hereunder; the remainder of the strip shall be used for no other purpose than the planting of ornamental shrubs, flowering shrubs, flower beds or a combination thereof. A fence shall not be considered a planting strip for the purpose of zone interpretation.

- xiv) The properties within this zone shall be treated as a single parcel for the purpose of zone interpretation.

(By-Law Numbers 8499; 2013-128)

423. 16, 26, 42, and 58 Leroy Grant Drive

Notwithstanding the provisions of Section 5 and 16 hereof to the contrary, the lands designated 'B3.423' on Schedule "A" hereto, the following regulations shall apply:

1. Density: maximum density shall be 159 dwelling units per hectare;
2. Parking: minimum parking is 1.1 spaces per unit;
3. Minimum height for vehicle clearance in an enclosed parking structure for a barrier free parking space shall be 2.1 metres; and
4. Parking is permitted in all yards;
5. Bicycle parking shall be 0.5 spaces per dwelling unit;
6. The minimum amenity space area shall be 16500 square metres;
7. The minimum aggregate side yard width shall be a measurement equal to 1.25 times the height of the building; and
8. For the purposes of interpretation the lands within the 'B3.423' Zone shall be treated as a single parcel.

(By-Law Numbers 8499; 2013-93)

424. 204 Alfred Street

Notwithstanding the provisions of Section 5 and 13 hereof to the contrary, the lands designated 'B.424' on Schedule "A" hereto, the following regulations shall apply:

- a) Definitions:

For the purpose of the 'B.424' zone, the following definition shall apply:

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:

- 4) Common
- 5) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and,
- 6) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment

Notwithstanding the foregoing, for the purposes of this definition, a bachelor, bachelorette or studio unit shall be calculated to contain one bedroom.

- b) Maximum Number of Dwelling Units: 3
- c) Maximum Aggregate Number of Bedrooms: 9
- d) Minimum Required Yards:
 - (i) South interior side yard from the front lot line for the distance of 17.7: 0.5 metres
 - (ii) South interior side yard measured from the front lot line for the distance beyond 17.7 metres: 1.2 metres
 - (iii) Aggregate interior side yard from the front lot line for the distance of 17.7 metres: 3.25 metres
 - (iv) Aggregate interior side yard measured from the front lot line for a distance beyond 17.7 metres: 3.95 metres
 - (v) North interior side yard: 2.75 metres
- e) Projection into Yards:

An unenclosed porch or deck, covered or uncovered which is located in the front yard is permitted to project into the required south interior side yard, but should not be closer than 0.5 metres to the south lot line.
- f) Minimum Amenity Space Area: 126 square metres
- g) Minimum Play Space Area: 0.0 square metres

(By-Law Numbers 8499; 2013-45)

425. 334 Victoria Street

Notwithstanding the provisions of Section 5 and 6 hereof to the contrary, the lands designated 'A.425' on Schedule "A" hereto, the following regulations shall apply:

- a) Maximum 2 dwelling units are permitted;
- b) The maximum aggregate number of bedrooms is 9;
- c) The use of a cellar as a portion of an existing dwelling unit is permitted; and,
- d) Front yard parking is prohibited;
- e) Bedroom: shall mean any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
 - (i) Common areas open to all occupants of the unit;
 - (ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
 - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
- f) Minimum Lot Area for two dwelling units shall be 664 square metres;
- g) Minimum Front Yard Setback: 2.6 metres;

(By-Law Numbers 8499; 2013-119)

426. 188 Ordnance Street

Notwithstanding the provisions of Section 5 hereof to the contrary, the lands designated 'A.426' on Schedule "A" hereto, the following regulations shall apply:

- a) Definitions:

For the purpose of the 'A.426' zone, the following definition shall apply:

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:

 - (i) Common areas open to all occupants of the unit;
 - (ii) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and,
 - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment

- b) The use of a cellar as a portion of an existing dwelling unit or as a habitation unit is permitted.

(By-Law Numbers 8499; 2013-117)

427. 'A.427', 450 Frontenac Street

Notwithstanding any provisions of to the contrary, the lands designated 'A.427' on Schedule "A" hereto, the following regulations shall apply:

- i) The use of a cellar as a dwelling unit or as a habitation unit is permitted;
- ii) Minimum lot area for two dwelling units is 556 square metres;
- iii) Maximum number of bedrooms per dwelling unit is 4;
- iv) The definition for bedroom shall be as follows:

Bedroom: shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:

- Common areas open to all occupants of the unit;
 - Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
 - Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
- v) The second dwelling unit shall not exceed 60% of the gross floor area of the main dwelling unit.

(By-Law Numbers 8499; 2013-137)

428. Reserved.

429. 311 Conacher Drive (Lot 45 on Draft Plan of Subdivision dated April 8, 2013)

Notwithstanding any provisions of Section 12B hereof to the contrary, on the lands zoned 'A8.429' on Schedule "A" attached hereto, the following provisions shall apply:

- (a) Minimum Exterior Side Yard: 2.7 m

- (b) Minimum Rear Yard: 4.9m
- (c) Minimum Lot Width of a Corner Lot: 8.75 m
- (d) Minimum Private Amenity Area: 52 m²

(By-Law Numbers 8499; 2013-142)

430. 311 Conacher Drive (Lot 75 on Draft Plan of Subdivision dated April 8, 2013)

Notwithstanding any provisions of Section 12B hereof to the contrary, on the lands zoned 'A8.430' on Schedule "A" attached hereto, the following provisions shall apply:

- (a) Minimum Rear Yard: 4.4m
- (b) Minimum Private Amenity Area: 38 m²

(By-Law Numbers 8499; 2013-142)

431. 301 to 303 Sydenham Street

Notwithstanding any provisions of Section 5 or Section 6 hereof to the contrary, on the lands zoned 'A.431' on Schedule "A" attached hereto, the following provisions shall apply to the entire area zoned 'A.431':

- a) Permitted Use:

In addition to the uses permitted in Section 6.2, the existing dwelling may be used for a multiple family dwelling containing a maximum of six units. Extension, expansion or structural alteration to the building as it exists on the date of the passing of this by-law which has the effect of adding new floor area or dwelling units to the said multiple family dwelling shall be prohibited.

- b) Maximum Number of Bedrooms: 10
- c) For the purpose of the 'A.431' Zone, the following definitions shall apply:

Bedroom: shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:

- i) Common areas open to all occupants of the unit;
- ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and

- iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

Notwithstanding the foregoing, for the purposes of this definition, a bachelor, bachelorette or studio unit shall be calculated to contain one bedroom.

- d) Minimum Amenity Space Area: 78 square metres
- e) Minimum Number of On-Site Parking Spaces: 3 parking spaces
- f) Maximum Size of a Parking Area: up to 50 square metres of the rear yard of the multiple family dwelling containing three units may be used as uncovered parking area.
- g) No minimum barrier free vehicle parking shall be required.
- h) No minimum play area shall be required.
- i) The use of a cellar as a habitation unit is permitted providing that the cellar complies with the applicable *Ontario Building Code*.
- j) An accessory building for a bicycle parking area shall be permitted in the interior side yard and shall be no closer than 5.5 metres to a front lot line or 1.2 metres from a side lot line.
- k) Deemed to Comply:

The lot and building existing as of the date of the passing of this by-law shall be deemed to comply with the minimum lot area, minimum front yard, minimum side yard, maximum percentage of lot coverage and maximum permitted floor space index regulations of this Zoning By-Law. In the event that the existing building on the site is removed, any new development shall be subject to the regulations of Section 6 of this by-law.

(By-Law Numbers 8499; 2013-153)

432. 363, 365 and 367 Johnson Street

Notwithstanding the provisions of Section 5 and 13 hereof to the contrary, the lands designated 'B.432' on Schedule "A" hereto, the following regulations shall apply:

- i) Additional Permitted Uses: a building with 10 residential dwelling units
- ii) Minimum Front Yard Setback: 3.80 metres
- iii) Minimum Side Yard: 1.5 metres

- iv) Minimum Aggregate Side Yard: 5.1 metres
- v) Maximum Lot Coverage: 36 per cent
- vi) Maximum Density: 69 units per net hectare

A density bonus may be applied to permit a density increase to 122 units per net hectare. The bonus is subject to the property owner entering into a development agreement with the City, which will establish a high quality of architectural design and human scale development consistent with the City's long term vision for the area.

- vii) Minimum Play Space: 0.0 square metres
- viii) Minimum Amenity Area: 408 square metres
- ix) Required Parking Spaces: 6
- x) Projection of Porch and Stairs into Front Yard: 2.7 metres
- xi) The for the purpose of zone interpretation the subject properties be considered as a single parcel.
- xii) That the maximum number of bedrooms for a dwelling unit shall be 4;
- xiii) Bedroom: shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:
 - a. Common areas open to all occupants of the unit;
 - b. Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
 - c. Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment; and
- xiv) That a –Holding Symbol be applied to the subject lands shall only be removed once the following condition has been satisfied:
 - a. That an offsite parking agreement be registered on title of the subject properties and the lands to accommodate the offsite parking in perpetuity.

(By-Law Numbers 8499; 2013-151)

433. 637 to 655 Johnson Street

Notwithstanding the provisions of Section 5 and 15 hereof to the contrary, the lands designated 'B2.433' on Schedule "A" hereto, the following regulations shall apply:

- i) Additional Permitted Uses: Multiple Family Dwelling

- ii) Minimum Front Yard Setback: 3.0 metres
- iii) Minimum Side Yard: 1.75 metres to any structure at or below grade
- iv) Minimum Side Yard Setback to a Dwelling or Habitation Unit: 6.5 metres
- v) Minimum Distance between Buildings: 4.5 metres regardless of the location of the building
- vi) Maximum Building Height: 11.0 metres
- vii) Maximum Lot Percentage Lot Occupancy: 145 per cent
- viii) Maximum Number of Dwelling per Building: 28
- ix) Maximum Aggregate Number of Dwelling Units: 28
- x) Maximum Density: 69 units per net hectare

A density bonus may be applied to permit a density increase to 118 units per net hectare. The bonus is subject to the property owner entering into a development agreement with the City, which will establish a high quality of architectural design and human scale development consistent with the City's long term vision for the area.

- xi) Minimum Amenity Area: 1559 square metres
- xii) Minimum Play Space: 57.5 square metres
- xiii) The for the purpose of zone interpretation the subject properties be considered as a single parcel.
- xiv) That the maximum number of bedrooms for a dwelling unit shall be 4;
- xv) Bedroom: shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:
 - a. Common areas open to all occupants of the unit;
 - b. Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
 - c. Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

(By-Law Numbers 8499; 2013-152)

434. 168 Macdonnell Street

Notwithstanding any provisions of this by-law to the contrary, the lands designated 'A.434' on Schedule "A" hereto. the following regulation shall apply:

- The use of a cellar as used as a dwelling unit or as a habitation unit is permitted.
- A maximum of two dwelling units are permitted on the property.

(By-Law Numbers 8499; 2013-168)

435. 222 Stuart Street

Notwithstanding any provisions of Section 17 hereof to the contrary, on the lands zoned 'E.435' on Schedule "A" attached hereto and known municipally as 222 Stuart Street, the following provisions shall apply:

- a) Minimum Side Yard Setback – 5.4 metres
- b) Density – The maximum habitation unit density of the E.435 zone of lands owned by a higher educational or medical institution shall not exceed 900 habitation units per net ha.
- c) All buildings on corner lots shall be set back from the street line as to maintain the sight triangle which means the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 8.0 metres from the point of intersection of the street lines (measured along the street lines). Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents of the street lines.

Within any area defined as a sight triangle, the following uses shall be prohibited;

- i) a building, structure of use which would obstruct the vision of drivers or motor vehicles which extends to a height of 4.15 metres;
- (ii) a fence, tree, hedge, bush, or other vegetation, the top of which exceeds 1 metre in height above the elevation of the street line;

- iii) a finished grade which exceeds the elevation of the street line by more than 0.5 metres.

(By-Law Numbers 8499; 2013-191)

436. 37 York Street

Notwithstanding any provisions of Section 17 hereof to the contrary, on the lands zoned 'A.436' on Schedule "A" attached hereto and known municipally as 37 York Street, the following provisions shall apply:

- a) Minimum Lot Area – 712 square metres
- b) Deemed to Comply: The existing residential building and shed as of the date of the passing of this by-law shall be deemed to comply with the regulations of this Zoning By-Law. In the event that the existing structures on the site are removed, any new development or re-development shall be subject to the regulations of Section 6 of this by-law.”

(By-Law Numbers 8499; 2013-199)

437. 58 Centre Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, the lands designated 'A.437' on Schedule "A" hereto, the following regulations shall apply:

- a) Definitions:

For the purpose of the 'A.437' zone, the following definition shall apply:

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:

- 7) Common areas open to all occupants of the unit;
 - 8) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and,
 - 9) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment
- b) Maximum Number of Dwelling Units: 2
 - c) Maximum Aggregate Number of Bedrooms: 9

(By-Law Numbers 8499; 2013-206)

438. 805 Dalton Avenue

Notwithstanding the provisions of Section 5 and Section 31A hereof to the contrary, the lands designated 'M.438' on Schedule "A" hereto, the following regulations shall apply:

(a) Minimum Front Yard:

The minimum front yard may be reduced to 10 metres where a road widening has been taken by the City.

(b) Open Storage Area:

Open storage of goods or materials shall be permitted, subject to the following provisions:

- (i) An open storage use shall be accessory to the principal use of the lot
- (ii) Any open storage area shall be screened by a masonry wall or solid fence not less than 1.8 metre high so that the contents of the open storage area will not be visible from any public street
- (iii) An open storage use shall not include a junkyard, vehicle wrecking yard or vehicle compound as defined in this by-law
- (iv) A minimum 3.0 metre wide landscape strip shall be provided along any street frontage, in front of the required masonry wall or solid fence, where open storage is located within a required front yard
- (v) Any access through a required landscape strip or required masonry wall or solid fence, shall include a gate which blocks the visibility of the open storage from a public street

(By-Law Numbers 8499; 2013-220)

439. 114 Collingwood Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, on the lands designated 'A.439' on Schedule "A" hereto, the following regulations shall apply:

(a) Definitions:

For the purpose of the 'A.439' zone, the following definition shall apply:

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include

- (i) Common areas open to all occupants of the unit;
 - (ii) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and,
 - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment
- (b) The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted.
- (c) Maximum Number of Dwelling Units: 2
- (d) Maximum Aggregate Number of Bedrooms: 7
- (e) Off-Street Parking: A minimum of 1 parking space shall be required
- (f) Bicycle Parking: A minimum of 6 bicycle parking spaces, as defined by Section 4.7A, shall be required.

440. 'A.440' (10 and 12 Collingwood Street)

Notwithstanding the provisions of Section 5 and 6 hereof to the contrary, the lands zoned 'A.440' on Schedule "A" attached hereto, a three (3) family dwelling shall be permitted subject to the following regulations which shall also apply:

a) Definition:

For the purpose of the 'A.440' zone, the following definitions shall apply:

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:

- 1) Common areas open to all occupants of the unit;

- 2) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and,
- 3) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment
- b) The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted.
- c) Maximum number of dwelling units: 3
- d) Maximum Aggregate Number of Bedrooms: 10
- e) Off-Street Vehicle Parking:

Notwithstanding any regulations in Section 5.3A and 5.3B to the contrary:

- (i) The minimum number of residential parking spaces shall be 4 parking spaces.
- (ii) The residential parking spaces shall occupy a maximum of 64.8 square metres of the rear yard.
- (iii) A separate ingress and egress lane is not required for the above number of permitted parking spaces.
- f) Bicycle Parking Spaces

Notwithstanding any regulations in Section 5.3A(a)(3) to the contrary a minimum of three (3) bicycle parking spaces shall be provided on site.

- g) Fencing
 - (i) A minimum 1.8 metre high wooden privacy fence shall be erected and maintained along the southern lot line extending from the rear wall of the dwelling to the rear lot line. The fence must visually block viewing into abutting properties.
 - (ii) A minimum 1.5 metre high privacy fence shall be maintained and/or erected along the western lot line. The fence must visually block viewing into abutting properties.
 - (iii) A minimum 1.2 metre high privacy fence shall be maintained and/or erected along the northern lot line extending from the rear wall of the dwelling to the rear lot line. The fence must visually block viewing into abutting properties

h) Rear Yard Amenity Area

The following amenity areas shall be created and maintained:

- (i) Minimum 2.4 metre wide: in the rear yard along the entire northern property boundary.
- (ii) Minimum 10 metre wide: in the rear yard along the entire western property boundary.”

(By-Law Numbers 8499; 2014-66)

441. 218 University Avenue

Notwithstanding the provisions of Section 17 hereof to the contrary, the lands designated ‘E.441’ on Schedule “A” hereto, the following regulations shall apply:

(a) Definitions:

For the purpose of the ‘E.441’ zone, the following definition shall apply:

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include

- (i) Common areas open to all occupants of the unit;
- (ii) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and,
- (iii) Areas occupied by mechanical equipment, such as furnaces, water heaters and laundry equipment

(b) Maximum Number of Dwelling Units: 2

(c) Maximum Aggregate Number of Bedrooms: 8

(d) Minimum Lot Area – Two Unit Dwelling: 417 square metres

(By-Law Numbers 8499; 2014-50)

442. 12 and 14 Kingscourt Avenue

Notwithstanding the provisions of Section 5 and Section 11 hereof to the contrary, the lands designated ‘A5.442’ on Schedule “A” hereto, the following regulations shall apply:

a) Definitions:

For the purpose of the 'A5.442' zone, the following definition shall apply:

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:

- (i) Common areas open to all occupants of the unit;
- (ii) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and,
- (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment

b) For the purposes of the A5.442 zone the subject lands shall be considered as one lot

c) Maximum Number of Dwelling Units:

- (i) Maximum Number of Dwelling Units: 4
- (ii) No more than 2 dwelling units shall be permitted on each side of a common party wall

d) Maximum Aggregate Number of Bedrooms on Each Side of the Common Party Wall:

e) Maximum Permitted Parking Area:

A maximum area of 25 square metres shall be permitted as an uncovered parking area in the rear yard of each side of a semi-detached dwelling unit.

f) Parking Space Dimensions:

Minimum size of a parking space in the rear yard of a semi-detached building shall be 2.7 metres wide and 5.6 metres long.

g) Walkway:

An unobstructed 1.2 metre wide walkway, that does not impede drainage, shall be provided to all dwelling unit entrances from Kingscourt Avenue

(By-Law Numbers 8499; 2014-80)

443. 318 University Avenue

Notwithstanding any provisions of Section 5 or Section 13 hereof to the contrary, on the lands zoned 'B.443' on Schedule "A" attached hereto, the following provisions shall apply to the entire area zoned 'B.443':

- a) Maximum Number of Residential Units: 4
- b) Maximum Number of Bedrooms: 20
- c) Bedroom: shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:
 - (i) Common areas open to all occupants of the unit;
 - (ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
 - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

Notwithstanding the foregoing, for the purposes of this definition, a bachelor, bachelorette or studio unit shall be calculated to contain one bedroom.

- d) The minimum width of a drive aisle adjacent to a parking space shall be 3.25 metres.
- e) Minimum Amenity Space Area: 260 square metres
- f) No minimum play area shall be required.
- g) Deemed to Comply:

The multiple family dwelling existing as of the date of the passing of this by-law shall be deemed to comply with the minimum front yard and minimum side yard of this Zoning By-Law. In the event that the existing building on the site is removed, any new development shall be subject to the regulations of Section 13 of this by-law."

(By-Law Numbers 8499; 2014-81)

444. 1006 Portsmouth Avenue

Notwithstanding the provisions of Section 5 and Section 13 hereof to the contrary, the lands designated 'B.444' on Schedule "A" hereto, the following regulations shall apply:

- a) Maximum Number of Dwelling Units: 3
- b) Minimum Front Yard: 7.5 metres
- c) Off-Street Parking:
 - (i) A minimum 1 parking space per dwelling unit shall be provided
 - (ii) Parking shall only be located behind the front wall of the main building
 - (iii) Parking in a stacked/tandem arrangement shall be permitted for a maximum of two parking spaces
- d) Landscaping: A minimum 1.0 metre wide soft landscaping strip shall be provided and maintained adjacent to the entire length of the north wall of the main building
- e) Flood Plain Setback:
 - (i) No building or structure shall be erected within 6.0 metres of an 'EPA' zone
 - (ii) Parking shall be permitted within this setback requirement
- f) Play Space: There shall be no play space requirement
- g) Vehicle Access: A maximum of one access shall be permitted to the property from Portsmouth Avenue

(By-Law Numbers 8499; 2014-91)

445. A.445 Morton Way

- a) The Permitted uses shall be in accordance with Section 6.2 of this by-law.
- b) Notwithstanding Section 5.22 of this by-law (Residential Units Fronting on a Street) and Section 5.31 of this By-Law, a one-family dwelling, a two-family dwelling and the conversion of a one-family dwelling to a

two family dwelling, with access provided by an easement, shall be a permitted use;

- c) For the purposes of interpretation of the applicable “A” zone regulation respecting the existing one-family dwelling and any future development or redevelopment of the property, the portion of the lot fronting onto Morton Way shall be deemed the front yard.

(By-Law Numbers 8499; 2014-79)

446. 16 James Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, the lands designated ‘A.446’ on Schedule “A” hereto, the following regulations shall apply:

- a) Definitions:

For the purpose of the ‘A.446’ zone, the following definition shall apply:

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:

- (i) Common areas open to all occupants of the unit;
 - (ii) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen); and
 - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment
- b) Maximum Number of Dwelling Units: 2
- c) Maximum Aggregate Number of Bedrooms: 4
- d) Off Street Parking:
- (i) Parking shall only be located behind the front wall of the main building
 - (ii) Parking in a stacked / tandem arrangement shall be permitted for a maximum of two parking spaces

(By-Law Numbers 8499; 2014-90)

447. B.447 273 Alfred Street

Notwithstanding any provisions of Section 13 hereof to the contrary, on the lands zoned 'B.447' on Schedule "A" attached hereto and known municipally as 273 Alfred Street, the following provisions shall apply:

(a) Definitions

For the purposes of the 'B.447' zone, the following definition shall apply:

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:

- (i) Common areas open to all occupants of the unit;
 - (ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and,
 - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters, and laundry equipment.
- (b) Maximum number of dwelling units: 3
 - (c) Maximum aggregate number of bedrooms: 11
 - (d) Maximum number of bedrooms for a dwelling unit: 4
 - (e) Minimum front yard setback: 4.1 metres
 - (f) Minimum side yard setback: 0.3 metres
 - (g) Minimum aggregate side yard: 3.0 metres
 - (h) Maximum lot coverage: 36 per cent
 - (i) Minimum required amenity area: 152 square metres
 - (j) Minimum required Play Space: 0.0 metres (nil)"

(By-Law Numbers 8499; 2014-100)

448. B.448 275 Alfred Street

Notwithstanding any provisions of Section 5.3(B)(cc) and Section 13 hereof to the contrary, on the lands zoned 'B.448' on Schedule "A" attached hereto and known municipally as 275 Alfred Street, the following provisions shall apply:

(a) Definitions

For the purposes of the 'B.448' zone, the following definition shall apply:

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:

- (i) Common areas open to all occupants of the unit;
 - (ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and,
 - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters, and laundry equipment.
- (b) Minimum lot area for two dwelling units: 465 square metres.
- (c) Maximum number of dwelling units: 2
- (d) Maximum aggregate number of bedrooms: 9
- (e) Maximum number of bedrooms for a dwelling unit: 5
- (f) Minimum aggregate side yard setback: 1.6 metres.
- (g) Maximum lot coverage: 36 per cent
- (h) Maximum permitted rear yard parking area: 35 square metres."

(By-Law Numbers 8499; 2014-100)

449. 48 (Colborne Street)

Notwithstanding the provisions of Section 5 and 6 hereof to the contrary, the lands designated 'A.449' on Schedule "A" hereto, the following regulations shall apply:

- a. Maximum Gross Floor Area: 310 square metres

- b. Maximum Percentage of Lot Coverage: 52 per cent
- c. Maximum Floor Space Index: 1.5
- d. That the maximum height of the rear wall and the pitch and slope of the roof of the second storey addition shall match the abutting land owners second storey addition at 50 Colborne Street
- e. That the maximum height of the rear wall of the one storey addition shall not exceed 2.75 metres
- f. That any external openings along the eastern wall of the second storey addition be limited to transom windows at a minimum height of 2.0 metres from finished floor, subject to *Ontario Building Code* requirements.”

(By-Law Numbers 8499; 2014-106)

450. 7 Pine Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, on the lands zoned ‘A.450’ on Schedule “A” attached hereto and known municipally as 7 Pine Street, the following provisions shall apply

(a) Definitions:

For the purpose of the ‘A.450’ zone, the following definition shall apply:

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:

- (i) Common areas open to all occupants of the unit;
 - (ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and,
 - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters, and laundry equipment.
- (b) Maximum number of dwelling units: 2
 - (c) Maximum number of bedrooms per dwelling unit: 2
 - (d) Minimum front yard setback: 0.2 metres

- (e) Minimum side yard setback: 0.1 metres
- (f) The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted
- (g) Deemed to Comply: The existing 44.5 square metre garage as of the date of the passing of this by-law shall be deemed to comply with the regulations of this Zoning By-Law. In the event that the existing garage on the site is demolished, any new development or re-development shall be subject to the regulations of Section 6 of this by-law.

451. 141 Hickson Avenue

Notwithstanding the provision of Section 30.3(b) to the contrary the minimum front yard shall be 1.5 metres along Hickson Avenue

(By-Law Numbers 8499; 2014-109)

452. 501 Frontenac Street

Notwithstanding the provisions of Sections 4, 5 and 16 hereof to the contrary, on the lands designated 'B3.452', the following regulations shall apply:

- (a) Definition: For the purpose of the 'B3.452' zone, the following definition shall apply:

"Bedroom" shall mean any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which, for greater certainty, does not include:

- a) Common areas open to all occupants of the unit;
 - 1) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
 - ii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
- (b) Minimum Front Yard Setback:
 - i) A maximum of 55% of the front wall of the building facing Frontenac Street is to be set back at least 0.79 metres from the front lot line;
 - ii) A minimum of 45% of the front wall of the building facing Frontenac Street is to be set back at least 2.25 metres from the front lot line; and

- iii) Along Frontenac Street decorative fencing or planting is required to be provided between the sidewalk and any bedroom window to restrict access to the area within the required setback.
- (c) Minimum Interior Side Yard Setback (South): 2.0 metres
- (d) Minimum Interior Side Yard Setback (North): 6.8 metres
- (e) Minimum Aggregate Side Yard Width: 9.0 metres
- (f) Minimum Rear Yard Setback: A maximum of 70% of the rear wall of the building is to be set back at least 5.5 metres from the rear lot line. The rear wall of the building facing into the interior courtyard shall have a minimum rear yard setback of 30 metres.
- (g) Projections into Rear Yard: On the north wing of the building, a stairwell having a maximum width of 8.6 metres is permitted to encroach up to 3.0 metres into the rear yard.
- (h) Maximum Building Height: 16.9 metres (subject to subsection (i) below)
- (i) Notwithstanding subsection (h) above, the maximum permitted building height will be 13.5 metres for the 10-metre-wide portion of the building abutting the north side yard, for a minimum depth of 22 metres.
- (j) Balconies, excluding Juliet style window openings, below the third storey facing Frontenac Street are prohibited.
- (k) Maximum Number of Bedrooms Per Dwelling Unit: 4
- (l) Maximum Average Number of Bedrooms per Dwelling Unit: 2.24 bedrooms per dwelling unit
- (m) Maximum Number of Dwelling Units: 99
- (n) A dwelling unit(s) is permitted in a cellar.
- (o) Maximum Aggregate Number of Bedrooms: 222
- (p) Maximum Density: 272 dwelling units per hectare
- (q) Maximum Lot Occupancy: 285%
- (r) Maximum Lot Coverage: 60%
- (s) Minimum Number of Residential Parking Spaces: 0.67 spaces per dwelling unit

- (t) Minimum Overhead Clearance for an Accessible Parking Space: 2.1 metres.
- (u) Minimum Dimensions of Standard Parking Spaces (Excluding Accessible Parking Spaces): 2.6 metres x 5.2 metres, with a minimum drive aisle width of 6.0 metres
- (v) A 1.8-metre-high privacy fence shall be erected and maintained along the rear and south property line and a 1.8-metre-high masonry wall shall be constructed and maintained along the northern property line. The fence and the wall must visually block viewing into abutting properties.
- (w) Bicycle Parking:
 - i) Notwithstanding Section 4.7A to the contrary, a vertical bicycle parking area may also be provided, which shall be defined as an area:
 - a) Minimum 0.6 metres wide, 1.8 metres tall and 1.0 meter in depth.
 - b) With access either directly, or by way of an aisle, sidewalk or ramp, to a public or private lane or to a street without the necessity of moving any vehicle.
 - c) Secured and covered from weather elements.
 - d) Contain a convenient and secure mounting system for a bicycle with the ability to use an anti-theft system such as a chain and lock.
 - ii) Required bicycle parking spaces shall not be located in a dwelling unit and will be located at or below grade.
 - iii) A vertical bicycle parking space may be located within the area of a required parking space for a motor vehicle where both spaces are assigned to the same dwelling unit.

(By-Law Number 8499; 2019-118 – LPAT 110156 Appeal dropped)

453. 401 Barrie Street

Notwithstanding the provisions of Sections 5 and 13 hereof to the contrary, the lands designated 'B.453' on Schedule "A" hereto, the following regulations shall apply:

a) Definitions:

For the purpose of the 'B.453' zone, the following definition shall apply:

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:

- (i) Common areas open to all occupants of the unit;
- (ii) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and,

- (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment

Notwithstanding the foregoing, for the purposes of this definition, a bachelor, bachelorette or studio unit shall be calculated to contain one bedroom.

- b) The existing building on the passing of By-Law Number 2014-129, shall only be converted to a maximum of 3 dwelling units, with the following requirements:
 - (i) Maximum Aggregate Number of Bedrooms: 7
 - (ii) Off-Street Parking:
 - (a) A minimum of 2 parking spaces shall be provided
 - (b) Parking in a stacked / tandem arrangement shall be permitted for a maximum of two parking spaces
 - (c) Parking shall be permitted closer to the street line than the nearest wall of the main building
 - (d) Minimum size of a parking space shall be 2.7 metres wide and 5.3 metres long
 - (iii) Minimum Private Amenity Space Area: Shall be provided within each unit in accordance with Section 4.2A
 - (iv) Minimum Amenity Area: 29 square metres
 - (v) Minimum Play Space Area: 0.0 square metres
 - (vi) Entrances: A minimum 0.90 metres unobstructed clearance should be maintained in front of the entrance to each unit, including no obstruction by the required off-site parking
 - (vii) Landscaping: A minimum 2.0 metre wide vegetated landscaping shall be provided between the front lot line and the front wall of the main building
 - (viii) Projections into Yards:

- (a) An unenclosed veranda with a maximum width of 5.35 metres is permitted between the front wall of the main building and the front lot line
- (b) A roof deck is permitted with a minimum distance of 2.0 metres from the rear lot line; 0.0 metres to the south side lot line; and, 2.75 metres from the north side lot line.

(By-Law Numbers 8499; 2014-39; 2014-122; 2014-129)

454. 40 Helen Street

Notwithstanding the provisions of Sections 5 and 6 hereof to the contrary, the lands designated 'A.454' on Schedule "A" hereto, the following regulations shall apply:

(a) Definitions:

For the purpose of the 'A.454' zone, the following definition shall apply:

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include

- (i) Common areas open to all occupants of the unit;
- (ii) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and,
- (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment

Notwithstanding the foregoing, for the purposes of this definition, a bachelor, bachelorette or studio unit shall be calculated to contain one bedroom.

- (b) Maximum Number of Dwelling Units: 3
- (c) Maximum Aggregate Number of Bedrooms: 7
- (d) Minimum Required Yards:
 - (i) North Front Yard: 3.6 metres
 - (ii) East Front Yard: 6.0 metres

(iii) South Side Yard: 2/5 the height of the main building

(iv) West Side Yard: 7.5 metres

(e) Off-Street Parking:

(i) Parking in a stacked / tandem arrangement shall be permitted for a maximum of two parking spaces

(ii) A maximum of one parking space shall be permitted in the front yard fronting Brock Street and one parking space shall be permitted in the front yard fronting Helen Street.

(iii) No parking space located in the front yard fronting Helen Street shall be permitted in between the main building and the streetline, and shall only be located in a tandem/stacked arrangement.

(f) Walkways:

The entrance to each dwelling unit shall require a minimum 0.9 metre wide unobstructed walkway from the property line

(g) Accessory Buildings:

An accessory building shall be no closer than 0.6 metres to any side lot line

(h) Cellar:

The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted.

(By-Law Numbers 8499; 2014-152)

455. A2.455 (140 Liddell Crescent)

Notwithstanding the provisions of Section 5 or 8 hereof to the contrary, the lands designated " " on Schedule "A" hereto, two dwelling units are permitted, the following regulations shall apply:

a) Definitions: the following definition is applicable for this section of the Zoning By-Law:

- i) Bedroom: shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:
 - (a) Common areas open to all occupants of the unit;
 - (b) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
 - (c) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

For the purposes of this definition, a bachelor, bachelorette or studio unit shall be calculated to contain one bedroom.

- b) Maximum aggregate total number of bedrooms shall be 6.
- c) A second residential unit shall have a gross floor area not exceeding 40 per cent of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. For the purposes of this provision, calculations for gross floor area shall refer to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:
 - i) floor area occupied by mechanical, service and electrical equipment that serve the building;
 - ii) an open porch or balcony; and
 - iii) areas internal to the building that are intended for the storage of vehicles.
- d) Parking:
 - i) One parking space shall be provided for each dwelling unit.
 - ii) The required parking may be provided through a tandem or stacked parking arrangement. The parking space location for the second residential unit shall meet the yard and driveway provisions of the zone.
 - iii) One parking space may be 2.5 by 5.3 metres and located beside the house.

- e) An additional driveway is not permitted for a second residential unit;
- f) The second residential unit shall have separate access from that of the principal residential unit. Access shall be provided at the front of the building, or at the side or rear of the building where a minimum 1.2 metre wide unobstructed walkway, that does not impede drainage, from the front of the building to the access is provided. The walkway may extend from the driveway.

- g) A dwelling unit is permitted in a cellar.

(By-Law Numbers 8499; 2014-151)

456. 443 Frontenac Street

Notwithstanding the provisions of Section 5 or 6 hereof to the contrary, the lands designated " " on Schedule "A" hereto, two dwelling units are permitted, the following regulations shall apply:

- a) Aggregate Side Yard, Minimum: 2.7 metres
- b) Uncovered Parking Area, Maximum: 36 square metres
- c) A dwelling unit is permitted in a cellar.

(By-Law Numbers 8499; 2014-159)

457. 188 Churchill Crescent

Notwithstanding the provisions of Section 5 and Section 6 of this by-law to the contrary, the lands designated 'A.457' on Schedule "A" hereto, the following regulations shall apply:

- i) Maximum number of dwelling units: 2
- ii) Minimum lot area per dwelling unit: 345 square metres
- iii) Maximum total lot coverage: 34 per cent
- iv) Maximum residential building height: 11.7 metres
- v) Maximum permitted height of exterior wall exclusive of end gable:
8.1 metres
- vi) Maximum lot coverage for accessory buildings: 11 per cent
- vii) The maximum gross floor area of the residential unit located in the cellar shall be 90 square metres. For the purposes of this provision, calculations for gross floor area shall refer to the total floor area, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:
 - (a) Floor area occupied by mechanical, service and electrical equipment that serve the building;

- (b) An open porch or balcony; and
 - (c) Areas internal to the building that are intended for the storage of vehicles.
- viii) The use of a cellar as a dwelling unit is permitted.

(By-Law Numbers 8499; 2014-189)

458. 50 Hamilton Street, 41 Linton Street

Notwithstanding the provisions of Section 5 and 6 hereof to the contrary, the lands designated 'A.458' on Schedule "A" hereto, the following regulations shall apply:

- (a) Minimum Lot Area: 260 square metres
- (b) Minimum Rear Yard: 5.2 metres
- (c) Maximum Lot Coverage: 38 per cent"

(By-Law Numbers 8499; 2015-13)

459. 94 College Street

Notwithstanding any provisions of Sections 5 and 6 hereof to the contrary, the lands designated 'A.459' on Schedule "A" hereto, the following regulations shall apply:

- (a) Existing Six Unit Multiple Family Dwelling:
 - (i) Minimum Lot Area: 1,270 square metres;
- (b) Existing Accessory Building:
 - (i) Minimum Rear Yard: 0 metres;
 - (ii) Maximum Floor Area: 135 square metres."

(By-Law Numbers 8499; 2015-22)

460. 96 College Street

Notwithstanding any provisions of Sections 5 hereof to the contrary, the lands designated 'A.460' on Schedule "A" hereto, the following regulations shall apply:

- (a) Existing Accessory Building:
 - (i) Minimum Side Yard: 0 metres;
 - (ii) Maximum Floor Area: 35 square metres.

(By-Law Numbers 8499; 2015-22)

461. 705 King Street West and 707 King Street West

Notwithstanding the provisions of this By-law hereof to the contrary, the lands designated 'A5.461' on Schedule "A" hereto, the following regulations shall apply:

- (a) Maximum Number of Dwelling Units Per Property: 3
- (b) Minimum Lot Area: 450m²
- (c) Minimum Lot Width: 10 metres
- (d) Minimum Front Yard Setback
 - (i) 705 King Street West: 13.8 metres
 - (ii) 707 King Street West: 15.6 metres
- (e) Minimum Aggregate Side Yard: 2.7 metres
- (f) Minimum Setback for Accessory Buildings: 0 metres from side or rear lot line.
- (g) Access and Parking:
 - (i) The minimum dimensions of the parking spaces shall be 2.6 metres by 5.2 metres.
 - (ii) The minimum width of a drive aisle is 6 metres; and
 - (iii) The minimum width for a driveway is 3.0 metres.

(By-Law Numbers 8499; 2015-81)

462. 212 Colborne Street (formerly 493 Princess Street)

Notwithstanding the provisions of Section 16 hereof to the contrary, the lands designated 'B3.462' on Schedule 'A' hereto, the following regulations shall apply:

- (i) Side Yard (minimum) 1 metre for the existing building as of the date of passing of this by-law
- (ii) Aggregate Side Yard 7.0 metres
- (iii) Maximum Density 130 units/ha
- (iv) Amenity Space 0 m²
- (v) Minimum number of Parking Spaces 14
- (vi) Any future additions or alterations to the building will be required to comply with the provisions of the B3 zone.

(By-Law Number 8499; 2015-62)

463. 495 Princess Street

Notwithstanding the provisions of Section 23C hereof to the contrary, the lands designated 'C4.463' on Schedule 'A' hereto, the following regulations shall apply:

- (i) Building Height:
 - a. No part of the mixed use building shall exceed the height limits in metres specified by the numbers following the "H" as shown on the attached Schedule B forming part of this By-law, this does not prevent the erection of:
 - b. Window washing equipment, lighting fixtures, ornamental elements, lightning rods, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, stairs, stair enclosures, wheel chair ramps, vents, ventilating equipment, landscape and green roof elements, solar panels, partitions dividing outdoor recreation areas, wind mitigation, chimney stack, exhaust flues, garbage chute overrun and public art elements.
 - c. Height shall be measured from the finished floor grade of 98.85m geodetic
 - d. Streetwall Height (maximum) 14.5 metres measured from 98.5m geodetic
- (ii) The minimum angular plane shall not apply
- (iii) For the purposes of this by-law all yards that are not front yards are deemed as side yards.
- (iv) Off Street Parking
 - a. 0.5 spaces per residential unit
 - b. 1 space per 150 m² gross leaseable area for any permitted commercial use

- c. minimum 88 parking spaces to be provided onsite
(OMB Order PL150371)
- (v) Parking spaces shall have minimum dimensions of 2.6 metres wide by 5.2 metres long
- (vi) Barrier Free parking spaces shall have minimum dimensions of 3.7 metres wide by 5.2 metres long with a minimum required vertical clearance of 2.1 metres. If a 1.5 m access aisle is provided beside a barrier free parking space the dimensions can be reduced to 3.2m wide by 5.2m long
- (vii) Off-site residential parking shall be provided within 500 metres of the property zoned C4.463.
- (viii) Loading Spaces: A minimum of one loading space is required which shall have a minimum vertical clearance of 3.4m.
- (ix) Bicycle Parking
Horizontal parking stalls shall have minimum dimensions of 1.8 metres by 0.3 metres.
Vertical parking stalls shall have minimum dimensions of 1.5 metres by 0.3 metres
- (x) Car Share Parking
a. Car Share shall mean the practice where a number of people share the use of one or more motor vehicles that are owned by a profit or non-profit car sharing organization, such car-share vehicles to be made available for short term rental, including hourly rental.
b. Two Car Share parking spaces shall be provided and maintained on the site included within the required residential parking.
- (xi) Amenity Area (minimum) 4,390m²
- (xii) Ground floor height shall mean the floor-to-next floor height as measured from the finished grade of 98.85m geodetic and shall not be less than 5 metres.
- (xiii) Canopies may extend or project into a required yard not more than 1.0 metre
- (xiv) Residential Dwellings are not permitted on the 11th floor

- (xv) The maximum number of bedrooms per unit shall be 3
- (xvi) Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
 - (i) Common areas open to all occupants of the unit;
 - (ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and,
 - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters, and laundry equipment.
- (xvii) City Owned Structures such as bus shelters are exempt from the provisions of this by-law and shall not impact the provisions of this by-law if lands are required to be conveyed to the municipality.

(By-Law Number 8449; 2015-62)

464. 19-23 Chatham Street

Notwithstanding the provisions of Section 23C hereof to the contrary, the lands designated 'C4.464' on Schedule 'A' hereto, the following regulations shall apply:

- (i) Rear Yard (minimum) 1.5 metres
- (ii) Interior Side Yard (minimum) 1.5 metres
- (iii) A minimum of 54 percent of the building frontage shall be built to the front property line.
- (iv) The property is not subject to a minimum ground floor height
- (v) The property is not subject to a minimum streetwall height.
- (vi) Off Street Parking
 - a. Parking may be permitted in a yard abutting a streetline.
 - b. Parking spaces shall have minimum dimension of 2.6m wide and 5.2 metres long
- (vii) Bicycle Parking
 - a. Horizontal parking stalls shall have minimum dimensions of 1.8m by 0.3 m
 - b. Vertical parking stalls shall have minimum dimensions of 1.5m by 0.3 m
- (viii) Amenity Area 65 square metres

(ix) This property is not subject to a rear yard angular plane.

(By-Law Number 8449; 2015-62)

465. **333 University Avenue (Formerly 462-468 & 480 Princess Street & 327 University Avenue)**

Notwithstanding the provisions of Section 23C hereof to the contrary, the lands designated 'C4.465' on Schedule 'A' hereto, the following regulations shall apply:

- (i) Building Height:
- a. No part of the mixed use building shall exceed the height limits in metres specified by the numbers following the "H" as shown on the attached Schedule B forming part of this By-law, this does not prevent the erection of:
 - b. Window washing equipment, lighting fixtures, ornamental elements, lightning rods, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, stairs, stair enclosures, wheel chair ramps, vents, ventilating equipment, landscape and green roof elements, solar panels, partitions dividing outdoor recreation areas, wind mitigation, chimney stack, exhaust flues, garbage chute overrun and public art elements.
 - c. Height shall be measured from the finished floor grade of 98.85m geodetic.
 - d. Streetwall Height (maximum) 14.5 metres measure from 98.5m geodetic.
- (ii) The minimum angular plane shall not apply
- (iii) Off Street Parking:
- a. 0.5 spaces per residential unit
 - b. 1 space per 150 m² gross leaseable are for any permitted commercial use

- c. minimum 63 parking spaces to be provided onsite
(By-Law 8499; OMB Order PL150371)
- (iv) Parking spaces shall have minimum dimensions of 2.6 metres wide by 5.2 metres long
- (v) Barrier Free parking spaces shall have minimum dimensions of 3.7 metres wide by 5.2 metres long with a minimum required vertical clearance of 2.1 metres. If a 1.5 m access aisle is provided beside a barrier free parking space the dimensions can be reduced to 3.2m wide by 5.2m long
- (vi) Off-site residential parking shall be provided within 500 metres of the property zoned C4.465.
- (vii) Loading Spaces: a minimum of one loading space is required which shall have a minimum vertical clearance of 3.4m
- (viii) Bicycle Parking
 - a. Horizontal parking stalls shall have minimum dimensions of 1.8 metres by 0.3 metres.
 - b. Vertical parking stalls shall have minimum dimensions of 1.5 metres by 0.3 metres.
- (ix) Car Share Parking
 - a. Car Share shall mean the practice where a number of people share the use of one or more motor vehicles that are owned by a profit or non-profit car sharing organization, such car-share vehicles to be made available for short term rental, including hourly rental.
 - b. Two Car Share parking spaces shall be provided and maintained on the site included in the required residential parking
- (x) Amenity Area (minimum) 3,600 m²
- (xi) Ground floor height shall mean the floor-to-next floor height as measured from the finished grade of 98.85m geodetic and shall not be less than 5 metres.
- (xii) Canopies may extend or project into a required yard not more than 1.0 metre
- (xiii) Residential Dwellings are not permitted on the 11th floor
- (xiv) The maximum number of bedrooms per unit shall be 3

- (xv) Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
- (i) Common areas open to all occupants of the unit;
 - (ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and,
 - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters, and laundry equipment.

(By-Law 8499; 2015-63-OMB Order PL150371)

466. A2.466 (41 MacKenzie Crescent)

Notwithstanding any provisions of Section 8 to the contrary, the lands zoned 'A2.466' on Schedule "A" hereto, the following regulations shall apply:

- (i) Additional Permitted Uses:
 - (a) A Second Residential Unit
- (ii) Prohibited Uses:
 - (a) Garden Suite;
 - (b) Boarding House;
 - (c) Lodging House.
- (iii) Second Residential Unit
 - (a) Second Residential Unit Area:

A second residential unit shall have a gross floor area not exceeding 40 per cent of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. For the purposes of this provision, calculations for gross floor area shall refer to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:

 - (i) floor area occupied by mechanical, service, and electrical equipment that serve the building;

- (ii) an open porch or balcony; and
 - (iii) areas internal to the building that are intended for the storage of vehicles.
- (b) Second Residential Units Per Dwelling House (maximum): 1 only
- (c) Access:

The second residential unit shall have separate access from that of the principal residential unit. Access shall be provided at the front of the building, or at the side or rear of the building where a minimum 1.2 metre wide unobstructed walkway from the front of the building to the access is provided.

- (d) Accessory Uses, Parking Etcetera:
- (i) In addition to any other parking requirements, parking space(s) required by subsection 5(16)(a) of the by-law shall be provided for the second residential unit. Notwithstanding anything to the contrary in this by-law, the required parking may be provided through a tandem or stacked parking arrangement. The parking space location for the second residential unit shall meet the yard and driveway provisions of the zone;
 - (ii) An additional driveway shall not be permitted for a second residential unit.”

(By-Law Numbers 8499; 2015-104)

467. 36 Cliff Crescent and 40 Cliff Crescent

Notwithstanding the provisions of this by-law to the contrary, the lands designated ‘B1.467’ on Schedule “A” hereto, the following regulations shall apply:

- (a) For the purposes of zoning interpretation, the approximately 0.633 hectare portion of lands zoned ‘B1.467’ shall be considered as one property.
- (b) Maximum Density: 93 dwelling units per net hectare
- (c) There shall be no Children’s Play Space requirement for the 29 unit building known as 40 Cliff Crescent.
- (d) Parking:

- (i) Minimum Off-Street Parking: 35 parking spaces
- (ii) Minimum Barrier Free Parking Spaces: 4
- (iii) Notwithstanding Section 5.3B (e), parking shall not be permitted in the front yard.

(By-Law Numbers 8499; 2015-74)

468. 432 Union Street

Notwithstanding the provisions of Section 8 and Section 5 hereof to the contrary, the lands designated 'A2.468' on Schedule "A" hereto, the following provisions shall apply:

(a) Definitions:

- (i) "Principal Residential Unit" means the main / core structure intended for human habitation, on a lot.
- (ii) "Second Residential Unit" means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.

(b) Additional Permitted Uses:

A Second Residential Unit

(c) Prohibited Uses:

Garden Suite;

Boarding House;

Lodging House;

Rooming House.

(d) Minimum Side Yard Width:

- (i) a side yard shall be provided on either side of the main building;
- (ii) the minimum aggregate side yard width shall be no less than 3.6 metres;
- (iii) each side yard shall not, at any point in its length, be a lesser width than 0.9 metres;

- (iv) main buildings other than dwellings or accessory building if 4.6 metres or less high, each side 3.0 metres, and for each additional 0.6 metres in height in excess of 4.6 metres (each side) 0.3 metres.

(e) Second Residential Unit:

(i) Second Residential Unit Area:

A second residential unit shall have a gross floor area not exceeding 40 per cent of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. For the purposes of this provision, calculations for gross floor area shall refer to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:

- (a) floor area occupied by mechanical, service, and electrical equipment that serve the building;
- (b) an open porch or balcony; and
- (c) areas internal to the building that are intended for the storage of vehicles.

(ii) Second Residential Units Per Dwelling House (maximum): 1 only

(iii) Access:

The second residential unit shall have separate access from that of the principal residential unit. Access shall be provided at the front of the building, or at the side or rear of the building where a minimum 1.1 metre wide unobstructed walkway from the front of the building to the access is provided.

(iv) Parking and Driveway:

- (a) Second Residential Unit: 1 parking space
- (b) The required parking may be provided through a tandem or stacked parking arrangement on a driveway located in the front yard, provided that the width of such driveway does not exceed the width of the garage walls.

- (c) An additional driveway shall not be permitted for a second residential unit.”

(By-Law Numbers 8499; By-Law 2015-88)

469. 1122 John Counter Boulevard

Notwithstanding the provisions of this by-law to the contrary, the lands designated 'M9.469-H' on Schedule "A" hereto, the following regulations shall apply and only the following uses shall be permitted:

- a) Permitted Uses are limited to:
 - (i) Residential uses are prohibited.
 - (ii) Non-residential uses are limited to:
 - (a) Industrial or Business Uses
 - (i) corporate administrative offices,
 - (ii) business and professional offices,
 - (iii) commercial school,
 - (iv) education centre,
 - (v) education facility,
 - (vi) day care centre,
 - (vii) data processing and related services (including call centres),
 - (viii) film or recording studio,
 - (ix) laboratory,
 - (x) research and development facilities,
 - (xi) Technologically advanced manufacturing, fabricating and assembling operations for the production high value products (non-noxious),
 - (xii) Office and business services, such as printing and equipment repair.

- (b) Commercial uses:
 - (i) bank or financial institutions,
 - (ii) clinic,
 - (iii) retail stores,
 - (iv) restaurants, and
 - (v) personal service shop.
- b) Commercial uses shall be limited to a maximum of 25 per cent of the built gross floor area.
- c) Maximum number of freestanding restaurants shall be two (2).
- d) Accessory uses:
 - (i) Accessory uses are permitted in accordance with the General Provisions unless otherwise specified;
 - (ii) A maximum of 25 per cent of the total floor area for any single tenant or business may be used for the purposes of the display and retail sale of products manufactured, processed, fabricated or assembled on the premises.
- e) Open storage is prohibited.
- f) Minimum Front Yard Depth: 3 metres
- g) Minimum Side Yard Depth: 3 metres
- h) Landscaped Open Space: 3 metres along an arterial road
- i) A loading zone shall be provided for each building.
- j) Parking:
 - (i) No parking space shall be located closer than 10 metres from a residential zone.
 - (ii) The required minimum parking ratio shall be 3.0 parking spaces per 100 square metres of gross floor area

- (iii) The design standards of a regular parking stall shall be 2.6 metres wide by 5.2 metres long
- (iv) The design standards of a barrier free parking stall shall be 3.7 metres wide by 5.2 metres long.

- k) 'H' Holding Zone Provisions:
- (i) The "H" Holding provision applies to the following uses separately or in combination:
 - (a) day care centre
 - (b) public use as per Section 5.1 (a), (b) and (c)
 - (c) education centre
 - (d) education facility
 - (ii) The "H" Holding provision may be removed for any one of the above listed uses or any combination of the above uses at such time as a Phase 1 Environmental Site Assessment and any subsequent assessments as necessary, including a Record of Site Condition is prepared by a qualified person as defined by the City of Kingston and is completed to the satisfaction of the City of Kingston and adherence to all municipal and provincial requirements.
 - (iii) The "H" Holding Zone provision will only be removed for the specified use(s) for which the Phase I Environmental Site Assessment and any subsequent assessments as necessary, including a Record of Site Condition is applicable. All other listed uses will remain subject to the holding provision. Separate assessment(s) and a record of Site Condition and associated clearances must be submitted for all subsequent requests to remove the holding provision to permit additional listed uses.

(By-Law Numbers 8499; 2015-89)

470. 13, 15, 17 Grange Street

Notwithstanding the provisions of this By-Law to the contrary, the lands designated 'B.470' on Schedule "A" hereto, the following regulations shall apply:

- a) Permitted Residential Use: Row Dwelling House
- b) Permitted Non-Residential Use: Home Occupation, subject to Sections 4.42 and 5.20 of this by-law
- c) Maximum Number of Dwelling Units per Property: 1

- d) Minimum Lot Area: 180m²
- e) Minimum Lot Frontage: 5 metres
- f) Minimum Front Yard: 7.5 metres
- g) For the front yard, a covered or uncovered, unenclosed porch or steps that is greater than 1.2 metres in height may project a maximum of 2.5 metres from the main building.
- h) Minimum Interior Side Yard: 1.1 metres
- i) Minimum Aggregate Side Yard: 2.3 metres

(By-Law Numbers 8499; 2015-97)

471. 1122 John Counter Boulevard

Notwithstanding the provisions of this by-law to the contrary, the lands designated 'C2.471-H' on Schedule "A" hereto, the following regulations shall apply and only the following uses shall be permitted:

- a) Permitted uses are limited to:
 - (i) accessory building to any use permitted in the C2.384 zone,
 - (ii) bank or financial institutions,
 - (iii) car wash,
 - (iv) clinic,
 - (v) dry cleaning and related services,
 - (vi) gas station including a car wash,
 - (vii) neighbourhood stores,
 - (viii) personal service shop,
 - (ix) restaurant, including a drive-through facility, and
 - (x) retail stores.
- b) Minimum Front Yard Depth: 3 metres

- c) Minimum Side Yard Depth: 3 metres
- d) A loading zone shall be provided for each building.
- e) Parking:
 - (i) The required minimum parking ratio shall be 3.0 parking spaces per 100 square metres of gross floor area
 - (ii) The design standards of a regular parking stall shall be 2.6 metres wide by 5.2 metres long
 - (iii) The design standards of a barrier free parking stall shall be 3.7 metres wide by 5.2 metres long.
- f) '-H' Holding Zone Provisions:
 - (i) The "H" Holding provision applies to the following use:
Public use as per Section 5.1 (a), (b) and (c)
 - (ii) The "H" Holding provision may be removed for the above listed use at such time as a Phase 1 Environmental Site Assessment and any subsequent assessments as necessary, including a Record of Site Condition is prepared by a qualified person as defined by the City of Kingston and is completed to the satisfaction of the City of Kingston and adherence to all municipal and provincial requirements.

(By-Law Numbers 8499; 2015-89)

472. 371 Division Street

Notwithstanding the provisions of Section 6 and Section 5 hereof to the contrary, the lands designated 'A.472' on Schedule "A" hereto, the following provisions shall apply:

- (a) Permitted Uses:
 - (i) One-Family Dwelling Only
- (b) Minimum Lot Area: 195 square metres;
- (c) Minimum Front Yard: 0.1 metre;

- (d) Maximum Percentage of Lot Coverage: 47 per cent;
- (e) Maximum Permitted Residential Building Depth: 13.4 metres;

- (f) Parking:
 - (i) The minimum size of a parking space shall be 2.6 metres wide and 5.2 metres long.

(By-Law Numbers 8499; 2015-106)

473. 373 Division Street

Notwithstanding the provisions of Section 6 and Section 5 hereof to the contrary, the lands designated 'A.473' on Schedule "A" hereto, the following provisions shall apply:

- (a) Permitted Uses:
 - (i) One-Family Dwelling
 - (ii) Two-Family Dwelling
- (b) Minimum Lot Area: 195 square metres;
- (c) Minimum Front Yard: 1 metre;
- (d) Maximum Permitted Residential Building Depth: 11 metres;
- (e) Parking:
 - (i) The minimum size of a parking space shall be 2.6 metres wide and 5.2 metres long.

(By-Law Numbers 8499; 2015-106)

474. 111-115 Pine Street

Notwithstanding the provisions of Section 13 and Section 5 hereof to the contrary, the lands designated 'B.474' on Schedule "A" hereto, the following provisions shall apply:

- (a) Maximum Height: 9.5 metres;
- (b) Minimum Front Yard: 1 metre;
- (c) Minimum Side Yard: 1.3 metres;
- (d) Maximum Percentage of Lot Coverage: 36 per cent;

- (e) Maximum Density: 77 units per net hectare;
- (f) Parking:
 - (i) The minimum size of a parking space shall be 2.6 metres wide and 5.2 metres long;
 - (ii) Minimum Number of Entrance / Exit Lanes: 1 only;
 - (iii) Minimum Entrance / Exit Lane Width: 5.2 metres;
- (g) Regulations for Dwellings with Common Party Walls:

For the purpose of side yard, lot width, lot area, lot coverage, lot occupancy and parking any building with common party walls shall be considered as one building occupying one lot.

(By-Law Numbers 8499; 2015-106)

475. 217 to 219 University Avenue and 330 William Street

Notwithstanding the provisions of Section 5 and Section 17 hereof to the contrary, the lands designated 'E.475' on Schedule "A" hereto, the following regulations shall apply:

- (a) Uses Permitted:
 - (i) Residential Uses:

Multiple family dwellings
 - (ii) Non-Residential Uses:

Neighbourhood commercial uses providing a range of convenience retail and service uses, including:

 - Convenience store;
 - Food store;
 - Retail store;
 - Laundromat;
 - Pick-up / Drop-off Drycleaners;
 - Video Store;
 - Take out restaurant;
 - Coffee Shop;

Personal Services shop (for example hairdresser, barber, esthetician, etcetera)
Copy Centre.

(b) Zone Provisions:

(i) Residential Uses:

- (a) Residential uses are not permitted on the first storey;
- (b) A maximum of 8 residential dwelling units are permitted;
- (c) A maximum of 8 bedrooms are permitted;
- (d) A maximum of 4 bedrooms per dwelling unit is permitted;

(ii) Non-Residential Uses:

- (a) A maximum of 1 non-residential unit is permitted;
- (b) Commercial use on the first storey is mandatory;
- (c) Non-residential uses are permitted in the first storey and cellar only;

(iii) Maximum number of buildings in the E.475 Zone: 1 only;

(iv) Maximum Height: 12 metres,

Roof-mounted equipment such as mechanical units and solar panels may project an additional 3 metres above the maximum permitted height.

(v) Minimum Front Yard: 0 metres;

(vi) Minimum Side Yard: 1.5 metres;

(vii) Aggregate Side Yard: 4.5 metres

(viii) Sight Triangles

The first storey of all buildings on corner lots shall be set back from the street line as to maintain the sight triangle except for a single support column with a maximum horizontal cross-section of 0.65 metres.

The sight triangle means the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 5 metres from the point of intersection of the street lines;

- (ix) Amenity Space: 90 square metres;
- (x) Parking:
 - (a) Minimum Number of Parking Spaces: 0 parking spaces;
 - (b) Minimum Number of Barrier Free Parking Spaces: 0 parking spaces;
- (xi) Loading Spaces:
 - (a) Minimum Number of Loading Spaces: 1 Loading Space;
 - (b) The minimum width of a loading space shall be 3 metres wide by 6 metres long;
- (xii) One Lot For the Purpose of Zoning:

For the purpose of zoning all lots within the 'E.475' Zone shall be considered as one lot.

(By-Law Numbers 8499; 2015-130)

476. 1370 John Counter Boulevard

Notwithstanding the provisions of this by-law to the contrary, the lands designated 'M9.476-H' on Schedule "A" hereto, the following regulations shall apply:

- a) Permitted Uses are limited to:
 - (i) Prohibited uses:
 - (a) Residential
 - (b) Open Storage
 - (ii) Non-residential uses are limited to:

- (a) Industrial or Business Uses:
 - (i) administrative, corporate, business and professional office / operations,
 - (ii) commercial school,
 - (iii) education centre,
 - (iv) education facility,
 - (v) hotel use
 - (vi) data processing facilities, including call centres,
 - (vii) film or recording studio,
 - (viii) laboratory, research and development facilities,
 - (ix) printing establishment
 - (x) Technologically advanced manufacturing, fabricating and assembling operations for the production high value products (non-noxious),
- (b) Complementary / commercial uses:
 - (i) bank or financial institutions (including a maximum of one drive through),
 - (ii) clinic,
 - (iii) retail stores,
 - (iv) restaurants (including a maximum of one drive through),
 - (v) personal service shop,
 - (vi) office and business services, such as printing and equipment repair, and
 - (vii) day care centre
 - (viii) public use
- b) Complementary / commercial uses shall be limited to a maximum of 25 per cent of the built gross floor area.
- c) Accessory uses:

- (i) Accessory uses are permitted in accordance with the General Provisions unless otherwise specified;
 - (ii) A maximum of 25 per cent of the total floor area for any single tenant or business may be used for the purposes of the display and retail sale of products manufactured, processed, fabricated or assembled on the premises.
- d) Open storage is prohibited.
- e) Minimum Front Yard Depth: 3 metres
- f) Minimum Side Yard Depth: 3 metres
- g) Minimum Rear Yard Depth: 3 metres
- h) The minimum setback of 30 metres shall apply from Environmental Protection Area 'EPA' zone for all development (including buildings, parking areas and internal roads, but excluding stormwater management facilities).
- i) A landscaped area with a minimum depth of 3 metres shall be provided along arterial roads.
- j) A loading facility shall be provided for each building as per Section 5.4(c).
- k) Parking:
 - (i) The required minimum parking ratio shall be 3.0 parking spaces per 100 square metres of gross floor area
 - (ii) The design standards of a regular parking stall shall be 2.6 metres wide by 5.2 metres long
 - (iii) The design standards of a barrier free parking stall shall be 3.7 metres wide by 5.2 metres long.
- l) 'H' Holding Zone Provisions:
 - (i) The "H" Holding provision applies to the following uses separately or in combination:
 - (a) day care centre
 - (b) public use as per Section 5.1 (a), (b) and (c)
 - (c) education centre

- (d) education facility
- (ii) The “H” Holding provision may be removed for any one of the above listed uses or any combination of the above uses at such time as a Phase 1 Environmental Site Assessment and any subsequent assessments as necessary, including a Record of Site Condition is prepared by a qualified person as defined by the City of Kingston and is completed to the satisfaction of the City of Kingston and adherence to all municipal and provincial requirements.
- (iii) The “H” Holding Zone provision will only be removed for the specified use(s) for which the Phase I Environmental Site Assessment and any subsequent assessments as necessary, including a Record of Site Condition is applicable. All other listed uses will remain subject to the holding provision. Separate assessment(s) and a Record of Site Condition and associated clearances must be submitted for all subsequent requests to remove the holding provision to permit additional listed uses.

(By-Law Numbers 8499; 2015-105)

477. A.477 (53 West Street)

Notwithstanding the provisions of Section 6 and Section 5 hereof to the contrary, the lands designated ‘A.477’ on Schedule “A” hereto, the following regulations shall apply:

- (a) Additional Permitted Uses:
Semi-Detached Dwelling;
- (b) Minimum Lot Area: 260 square metres;
- (c) Minimum Front Yard: 2.4 metres;
- (d) Minimum North Interior Side Yard Setback: 0.0 metres;
- (e) Maximum Overall Building Height: 12.4 metres;
- (f) Maximum Height of Any Exterior Wall Exclusive of End Gable: 9.5 metres;
- (g) Existing Dormers:
Dormers existing on the date of passage of this by-law shall be permitted;

- (h) Maximum Permitted Floor Space Index: 1.1;
- (i) Parking:
 - (i) Maximum Uncovered Rear Yard Parking Area: 40 Square Metres;
 - (ii) Minimum standard parking dimensions shall be 2.6 metres wide by 6.0 metres in length;

- (j) Projections into Yards:
- (i) A covered or uncovered, unenclosed porch and steps of any height may project into the required front yard, but shall be no closer than 0.0 metres to the front lot line;

- (k) Regulations for Dwellings with Common Party Walls:

For the purpose of side yard, lot width, lot area, lot coverage and lot occupancy regulations, the subject semi-detached dwelling unit shall be considered as a separate dwelling on a separate lot.”

(By-Law Numbers 8499; 2015-109)

478 A.478 (55 West Street)

Notwithstanding the provisions of Section 6 and Section 5 hereof to the contrary, the lands designated ‘A.478’ on Schedule “A” hereto, the following regulations shall apply:

- (a) Definitions:
- (i) Principal Residential Unit” means the main / core structure intended for human habitation, on a lot.
- (ii) Second Residential Unit” means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.
- (b) Additional Permitted Uses:
- Semi-Detached Dwelling;
- A Second Residential Unit;
- (c) Prohibited Uses:
- Garden Suite;
- Boarding House;
- Lodging House;
- Rooming House.
- (d) Minimum Lot Area: 350 square metres;
- (e) Minimum Front Yard: 1.2 metres;

- (f) Minimum Interior Side Yard Setback: 0.0 metres;
- (g) Minimum Aggregate Side Yard Setback: 0.0 metres;
- (h) Maximum Overall Building Height: 12.5 metres;
- (i) Maximum Height of Any Exterior Wall Exclusive of End Gable: 9.5 metres;
- (j) Existing Dormers:
Dormers existing on the date of passage of this by-law shall be permitted;
- (k) Maximum Building Depth: 15.3 metres;
- (l) Parking:
 - (i) Maximum Uncovered Rear Yard Parking Area: 40 Square Metres;
 - (ii) Minimum standard parking dimensions shall be 2.6 metres wide by 6.0 metres in length;
- (m) Projections into Yards:
 - (i) A covered or uncovered, unenclosed porch and steps of any height may project into the required front yard, but shall be no closer than 0.0 metres to any lot line;
- (n) Regulations for Dwellings with Common Party Walls:
For the purpose of side yard, lot width, lot area, lot coverage and lot occupancy regulations, the subject semi-detached dwelling unit shall be considered as a separate dwelling on a separate lot.
- (o) Second Residential Unit:
 - (i) Second Residential Unit Area:
A second residential unit shall have a gross floor area not exceeding 40 per cent of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. For the purposes of this provision, calculations for gross floor area shall refer to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:
 - (a) floor area occupied by mechanical, service, and electrical equipment that serve the building;
 - (b) an open porch or balcony; and

(c) areas internal to the building that are intended for the storage of vehicles.

(ii) Second Residential Units per Dwelling House (maximum): 1 only

(iii) Access:

The second residential unit shall have separate access from that of the principal residential unit. Access shall be provided at the front of the building, or at the side or rear of the building where a minimum 1.2 metre wide unobstructed walkway from the front of the building to the access is provided.

(iv) Parking and Driveway:

(a) Second Residential Unit: 1 parking space

(b) An additional driveway shall not be permitted for a second residential unit.”

(By-Law Numbers 8499; 2015-109)

479 149 Collingwood Street

Notwithstanding the provisions of Section 5 and Section 13 of this by-law to the contrary, on the lands zoned 'B.479' on Schedule "A" attached hereto and known municipally as 149 Collingwood Street, up to six dwelling units may be developed, and the following provisions shall apply:

- a) Maximum aggregate number of bedrooms: 12
- b) Maximum number of bedrooms per dwelling unit: 2
- c) Minimum front yard setback: 2.64 metres
- d) Minimum side yard setback: 0.3 metres
- e) Minimum aggregate side yard setback: 2.6 metres
- f) Maximum percentage of lot coverage 37 per cent
- g) Minimum amenity area: 55 square metres
- h) There shall be no minimum play space requirement.
- i) Required number of parking spaces: 3

- j) The front porch is permitted a minimum of 1.27 metres from the front lot line;
- k) Bicycle parking area: overhead clearance in covered spaces shall be a minimum of 1.8 m (6 ft)."

(By-Law Numbers 8499; 2015-127)

480 83 Durham Street

Notwithstanding the provisions of Section 5, Section 6 and Section 23C hereof to the contrary, the lands designated 'C4.480' on Schedule "A" hereto, the following regulations shall apply:

- (a) Definitions:
 - (i) "Principal Residential Unit" means the main/core structure intended for human habitation, on a lot.
 - (ii) "Second Residential Unit" means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.
- (b) Additional Permitted Uses:
 - (i) In addition to the uses permitted in the 'C4' Zone, the uses permitted in the "A" Zone subject to the provisions of the "A" Zone;'
 - (ii) A Second Residential Unit.
- (c) Prohibited Uses:
 - Garden Suite;
 - Boarding House;
 - Lodging House;
 - Rooming House.
- (d) Multiple Uses on the Same Lot:

Multiple uses permitted in both the "A" Zone and the "C4" Zone are not permitted to exist at the same time on the same lot.
- (e) Provisions:

The following provisions shall apply to uses permitted in the “A” Zone.

- (i) Minimum Lot Area: 420 square metres;
- (ii) Minimum Front Yard: 4 metres;
- (iii) Minimum Aggregate Side Yard: 1.5 metres;
- (iv) Uncovered Parking Area:

Up to 34 square metres of the rear yard may be used as an uncovered parking area;

- (v) Holding (H) Symbol:

Uses permitted within the “A” Zone are not subject to the provisions of a holding (H) symbol.

- (f) Second Residential Unit:

- (i) Limitation

A second residential unit is only permitted within a building or structure permitted in the “A” Zone.

- (ii) Location

A second residential unit is permitted to be located within a cellar.

- (iii) Second Residential Unit Area:

A second residential unit shall have a gross floor area not exceeding 40 per cent of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. For the purposes of this provision, calculations for gross floor area shall refer to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:

- (a) floor area occupied by mechanical, service, and electrical equipment that serve the building;
- (b) an open porch or balcony; and

- (c) areas internal to the building that are intended for the storage of vehicles.
- (iv) Second Residential Units Per Dwelling House (maximum): 1 only

- (iii) Access:

The second residential unit shall have separate access from that of the principal residential unit. Access shall be provided at the front of the building, or at the side or rear of the building where a minimum 0.9 metre wide unobstructed walkway from the front of the building to the access is provided.

- (iv) Parking and Driveway:

- (a) Second Residential Unit: 1 parking space
- (b) An additional driveway shall not be permitted for a second residential unit.”

(By-Law Numbers 8499; 2015-124)

481 129 Calderwood Drive

Notwithstanding the provisions of Section 8 and Section 5 hereof to the contrary, the lands designated ‘A3.481’ on Schedule “A” hereto, the following provisions shall apply:

- (a) Definitions:

- (i) “Principal Residential Unit” means the main / core structure intended for human habitation, on a lot.
- (ii) “Second Residential Unit” means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.

- (b) Additional Permitted Uses:

A Second Residential Unit

- (c) Prohibited Uses:

Garden Suite;

Boarding House;

Lodging House;

Rooming House.

(d) Second Residential Unit:

(i) Second Residential Unit Area:

A second residential unit shall have a gross floor area not exceeding 40 per cent of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. For the purposes of this provision, calculations for gross floor area shall refer to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:

- (a) floor area occupied by mechanical, service, and electrical equipment that serve the building;
- (b) an open porch or balcony; and
- (c) areas internal to the building that are intended for the storage of vehicles.

(ii) Second Residential Units Per Dwelling House (maximum): 1 only

(iii) Access:

The second residential unit shall have separate access from that of the principal residential unit. Access shall be provided at the front of the building, or at the side or rear of the building where a minimum 1.2 metre wide unobstructed walkway from the front of the building to the access is provided.

(iv) Parking and Driveway:

- (a) Second Residential Unit: 1 parking space
- (b) The required parking may be provided through a tandem or stacked parking arrangement on a driveway located in the side yard.
- (c) An additional driveway shall not be permitted for a second residential unit

(By-Law Numbers 8499; 2015-128)

482. 14 Garrett Street

Notwithstanding the provisions of Section 5 and Section 20 hereof to the contrary, the lands zoned 'C.482' on Schedule "A" hereto, the following regulations shall apply:

(a) Definitions:

For the purpose of the 'C.482' zone, the following definition shall apply:

'Parking structure' shall mean a building or structure used for the parking of vehicles above or below finished grade, and is permitted as a principle use on a lot'.

(b) Permitted Uses:

- (i) Accessory buildings subject to the provisions of the zone regulating the main building as set forth herein
- (ii) Bakeries (provided that the food products prepared on the premises are retailed directly from the same premises)
- (iii) Banks
- (iv) Boarding houses and rooming houses subject to the provisions of zone B
- (v) Bowling alleys, pool and billiard halls
- (vi) Churches, community halls and parish halls subject to the provisions for zone B
- (vii) Community Centres subject to the provisions for zone B
- (viii) Community Homes
- (ix) Community Support House
- (x) Crisis Care Shelters
- (xi) Day Care Centre
- (xii) Fraternal organizations or similar institutions of public character subject to the provisions of zone B

- (xiii) Hospitals as defined by the *Public Hospitals Act*, R.S.O. (1970) Chapter 378
- (xiv) Hotels
- (xv) Laundries and dry cleaners (provided that the cleaning operation takes place upon the same premises as an associated pick-up and delivery agency)
- (xvi) Lay or religious fraternity houses or boarding houses where occupied by students, used exclusively for the purposes of habitation or congregational meetings and supervised by the authorities of a public educational institution, subject to the provisions for zone B
- (xvii) Libraries, art galleries and museums subject to the provisions for zone A
- (xviii) Multiple family dwellings containing three or four dwelling units subject to the provisions of zone B
- (xix) Multiple family dwellings containing five or more dwelling units
- (xx) Offices for or in connection with businesses or professions
- (xxi) Offices for printing or publishing
- (xxii) Parking Lots as defined in Section 4.59 of this by-law and subject to the following regulations:
 - (a) All parking lots are subject to site plan control approval
 - (b) The surface of the parking lot shall be paved or properly leveled, drained and treated to prevent the escape of dust
 - (c) Any lights used to illuminate the parking lot shall be arranged to deflect light downward and away from adjacent premises.
 - (d) No commercial business involving the repair of or service to vehicles shall be permitted thereon, nor the sale or display thereof shall be conducted from or upon such premises
- (xxiii) Parking Structure
- (xxiv) Places of amusement

- (xxv) Recovery Homes
- (xxvi) Retail stores or shops
- (xxvii) Residential Care Facilities
- (xxviii) Restaurants
- (xxix) Sanitariums, or institutions for philanthropic or charitable uses, other than correctional uses, and other than for the treatment of inebriates or persons suffering from insanity or other mental disease, infectious disease, or contagious disease, subject to the provisions for zone B
- (xxx) Senior citizen apartments
- (xxxi) Shopping centres
- (xxxii) Theatres
- (xxxiii) Undertakers' establishments
- (c) Ground floor commercial:

The ground floor use of any building or structure is required to be commercial.
- (d) Minimum Required Front Yard: 0.9 metres
- (e) Surface Parking:
 - (i) Surface parking is permitted within any portion of a yard.
 - (ii) Surface parking is permitted within 1.5 metres of any adjacent residential zone or zone which permits a residential use.
 - (iii) Surface parking shall be screened from any adjacent residential zone or zone which permits a residential use, by a sight obscuring buffer, such as, but not limited to; a fence; wall; hedge; or, barrier, a minimum of 1.4 metres high
 - (iv) Surface parking shall be screened from any street by a sight obscuring buffer such as, but not limited to; a fence; wall; hedge; or, barrier, a minimum of 1.0 metre high
- (f) Parking Structure:

A wall or barrier with a minimum height of 1.4 metres is required on each level of a parking structure

(g) Angular plane:

All buildings and structures adjacent to a residential zone shall fit within an angular plane taken from a height of 7.0 metres above the established grade at the lot line. Above this height, subsequent storeys shall fit within a 45 degree angular plane

(h) Minimum Parking Space Dimensions:

2.6 metres wide and 5.2 metres long, not including barrier free spaces.

(i) Minimum Parking Access Lane Width: 6.0 metres.

(By-Law Numbers 8499; 2015-161; 2016-89)

483. 440 Brock Street

Notwithstanding the provisions of Section 5 and Section 13 of this by-law to the contrary, on the lands zoned 'B.483' on Schedule "A" attached hereto and known municipally as 440 Brock Street, up to three dwelling units may be developed and the following provisions shall apply:

- a) Maximum number of dwelling units: 3;
- b) Maximum aggregate number of bedrooms: 13;
- c) Maximum number of 3-bedrooms dwelling units: 1;
- d) Maximum number of 5-bedrooms dwelling units: 2;
- e) Minimum front yard setback: 2 metres;
- f) Minimum exterior side yard setback: 0.3 metres;
- g) Minimum side yard setback: 0 metres;
- h) Maximum percentage of lot coverage: 43 per cent;
- i) Minimum amenity area: 15 square metres;
- j) Minimum play space: 0 square metres; and
- k) Maximum Density: 91 dwelling units per net hectare.

(By-Law Numbers 8499; 2015-168)

484. 84 Centre Street

Notwithstanding the provisions of Section 8 and Section 5 hereof to the contrary, the lands designated 'A.484' on Schedule "A" hereto, the following provisions shall apply:

(a) Definitions:

- (i) "Principal Residential Unit" means the main / core structure intended for human habitation, on a lot.
- (ii) "Second Residential Unit" means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.

(b) Additional Permitted Uses:

A Second Residential Unit

(c) Prohibited Uses:

Garden Suite;

Boarding House;

Lodging House; and

Rooming House.

(d) Second Residential Unit:

(i) Second Residential Unit Area:

A second residential unit shall have a gross floor area not exceeding 40 per cent of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. For the purposes of this provision, calculations for gross floor area shall refer to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:

- (a) Floor area occupied by mechanical, service, and electrical equipment that serve the building;
- (b) An open porch or balcony; and

- (c) Areas internal to the building that are intended for the storage of vehicles.
- (ii) Second Residential Units per Dwelling House (maximum): 1 only
- (iii) Access:

The second residential unit shall have separate access from that of the principal residential unit. Access shall be provided at the front of the building, or at the side or rear of the building where a minimum 1.2 metre wide unobstructed walkway, that does not impede drainage, from the front of the building to the access provided; and
- (iv) Parking and Driveway:
 - (a) Second Residential Unit: 1 parking space
 - (b) The required parking may be provided through a tandem or stacked parking arrangement on a driveway located in the front yard and the driveway may have a maximum width of 4.2 metres.
 - (c) An additional driveway shall not be permitted for a second residential unit"; and

(By-Law Numbers 8499; 2015-200)

485. 621 and 623 King Street West

Notwithstanding the provisions of Section 5 and Section 32 hereof to the contrary, the lands designated 'P.485' on Schedule "A" hereto, the following regulations shall apply:

- (a) Additional Permitted Use:

An office use within the former Portsmouth Town Hall building up to a maximum floor area of 315 square metres
- (b) Parking:
 - (i) Parking for an office use shall be provided at a rate of 1 parking space for every 28.0 square metres of gross leasable floor area.
 - (ii) Parking may be provided off-site within a radius of 400 metres from the P.485 zone.

(iii) Required barrier free parking spaces shall be provided on-site.

(c) Bicycle Parking:

A minimum of 3 bicycle parking spaces shall be provided on-site

(By-Law Numbers 8499; 2016-19)

486. 720 Princess Street

Notwithstanding the provisions of Section 4, Section 5 and Section 23C hereof to the contrary, the lands designated 'C4.486' on Schedule "A" hereto, the following regulations shall apply:

(a) Definitions:

(i) "Amenity Area" means an outdoor area exterior to the residential building, or interior area common to all residential units within a residential building, which is designed and intended primarily for the leisure and recreation of the occupants of the building.

(b) Lot Lines:

(i) Side Lot Lines:

The western and eastern lot lines shall be deemed side lot lines.

(ii) Rear Lot Line

The southern lot lines that abut the properties fronting on Durham Street shall be deemed rear lot lines.

(c) Ground Floor Height (minimum): 4.5 metres.

A 32 square metre expansion at the northwest frontage of the property along Princess Street shall be permitted to have the same floor to ceiling height as the existing building.

(d) Accessory Structures:

(i) Minimum Rear Yard: 0 metres;

(e) Parking:

(i) Required Parking Spaces:

(a) Residential:

0.5 parking spaces per dwelling unit;

(b) Commercial:

1 parking space for every 150 square metres of gross leasable area;

(ii) The minimum size of a parking space shall be 2.6 metres wide by 5.2 metres long;

(iii) Parking and loading is permitted in the yard abutting Toronto Street.

(f) Amenity Area:

(i) Amenity areas shall be provided at a rate of 10 square metres per dwelling unit;

(ii) Amenity areas, or any part thereof, shall be designed and located so that the length does not exceed four (4) times the width;

(iii) Amenity areas, if provided as communal space, must be aggregated into one area or grouped into areas of not less than 54 square metres;

(iv) No play space shall be required.”

(By-Law Numbers 8499; 2016-60)

487. 873 and 877 Division Street

Notwithstanding the provisions of Section 5 and Section 21 hereof to the contrary, the C1.487 Zone shall apply to regulate the uses within the existing structure on the date of passing of this by-law. Any new development or redevelopment of the property shall be required to comply with the performance standards of the C1 zone and all other general provisions of By-Law Number 8499 as amended, with the exception of the following provisions:

Uses Permitted

i. Residential Uses:

Two accessory dwelling units provided that such dwelling units are located within the existing commercial structure as of the date of passing of this by-law.

ii. Non-Residential Uses:

Neighbourhood commercial uses providing a range of convenience retail and service uses, including:

Convenience store;

Food store of less than 223 square metres;

Retail store;

Laundromat;

Pick-up / drop-off drycleaners;

Take-out restaurant;

Restaurant;

Coffee shop;

Bakery or bake shop;

Florist;

Consumer service and repair shop (for example, small appliance / computer repair service, etcetera);

Offices for or in connection with a business or profession;

Medical office;

Banks or financial institutions;

Drug store;

Delicatessen;

Accessory buildings to any permitted use;

Personal services shop (for example, Hairdresser, barber, esthetician, etcetera); and

Copy centre

Zone Provisions

- i. Non-Residential Uses within existing structure
 - a) Maximum Gross Leasable Area – 246 square metres;
 - b) Shall be permitted on the ground floor only.
- ii. Minimum Rear Yard for existing structure: 3.85 metres
 - a) Any new development is required to comply with the setbacks of the C1 zone.
- iii. Parking:
 - a) Existing Parking in the front yard shall be permitted in accordance with the Amendment to Streets By-Law Number 2004-190, approved by council on December 1, 2015;
 - b) If the existing building on the property is demolished and the site is redeveloped in accordance with the C1 zone provisions all parking is required to be provided on site and shall not encroach into the municipal right of way.
 - c) Non-Residential Parking Spaces:
 - 1) Minimum number of parking spaces: One (1) per 35 square metres;
 - 2) One (1) non-residential parking space shall be provided completely on-site;
 - 3) Minimum of one (1) barrier free parking; and
 - 4) No loading space is required.
 - d) Residential Parking Spaces:
 - 1) Minimum of one (1) parking space per dwelling unit.

iv. (-H) Holding Zone Provisions

The following uses are prohibited until such time as the (-H) Holding Symbol is removed:

Laundromat;

Personal service shop;

Consumer service and repair shop; and

Medical offices.

Notwithstanding Section 5.39 to the contrary, the (-H) Holding Symbol shall be removed once a Municipal-Industrial Strategy for Abatement (MISA) manhole is available or can be made available.

(By-Law Numbers 8499; 2016-46)

488. 54 Wiley Street

Notwithstanding the provisions of Section 5 and Section 12A hereof to the contrary, the lands designated 'A7.488' on Schedule "A" hereto, the following regulations shall apply:

(a) Definitions:

- (i) "Principal Residential Unit" means the main/core structure intended for human habitation, on a lot.
- (ii) "Second Residential Unit" means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.

(b) Minimum Lot Area: 311 square metres

(c) Additional Permitted Uses: A Second Residential Unit

(d) Second Residential Unit:

(i) Second Residential Unit Area:

A second residential unit shall have a gross floor area not exceeding 40 per cent of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. For the purposes of this provision, calculations for gross floor area shall refer to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:

- (a) floor area occupied by mechanical, service, and electrical equipment that serve the building
- (b) an open porch
- (c) areas internal to the building that are intended for the storage of vehicles

(ii) Maximum Second Residential Units per Dwelling House: 1 unit only

(iii) Access:

The second residential unit shall have separate access from that of the principal residential unit. Access shall be provided at the front of the building, or at the side of the building where a minimum 1.2 metre walkway from the front of the building to the access is provided. The walkway shall be narrowed to 0.9 metres for a maximum distance of 2.0 metres.

(iv) Parking:

A minimum 1 parking space shall be provided for the second residential unit.”

(By-Law Numbers 8499; 2016-50)

489. 199 Wilson Street

Notwithstanding the provisions of this by-law to the contrary, the lands designated 'A5.489' on Schedule "A" hereto, the following definitions and regulations shall apply:

(a) Definitions:

"Lane" shall mean a private access which affords access within a property and is not assumed or maintained by a public body.

(b) Permitted Uses:

- (i) Row dwellings
- (ii) Stacked row dwellings
- (iii) Second residential unit is permitted in a row dwelling
- (iv) Parks in accordance with the P.126 zone
- (v) Home occupations in accordance with Section 4.42 and Section 5.20 of this by-law

(c) Lot Frontage (minimum):

- (i) on a lot accessed by a lane: 5.5 metres per unit
- (ii) on a lot not accessed by a lane: 6.5 metres per unit

(d) Front Yard Depth (minimum, exclusive of garage):

- (i) on a lot accessed by a lane: 1.5 metres
- (ii) on a lot not accessed by a lane: 4.5 metres

(e) Interior Side Yard (minimum):

- (i) interior unit: 0.0 metres
- (ii) end unit: 1.2 metres

(f) Exterior Side Yard (minimum): 2.4 metres

(g) Rear Yard (minimum):

- (i) on a lot accessed by a lane: 14.5 metres
 - (ii) on a lot not accessed by a lane: 6.0 metres
- (h) Land Use Buffer Strip: Land within 6 metres of the rear lot line of any property with frontage on Jean Worrell Crescent shall be used for no other purposes than landscaping or open space.
- (i) Height (maximum): 12.0 metres
 - (j) Density (maximum): 75 units per net hectare
 - (k) Parking:
 - (i) There shall be no individual driveways permitted from McCauley Street
 - (ii) For stacked row dwellings, a separate parking lot shall be provided within 60 metres of the stacked row dwelling units for at least 50 per cent of the required parking.
 - (iii) Front yard parking is permitted for a row dwelling house that includes a second residential provided that the required parking for the residential uses is in a tandem parking alignment.
 - (l) At least 70 per cent of the front wall of the first storey of the main building shall be located within 1.5 metres of the building line. In no case shall the front wall be located in the minimum required front yard.
 - (m) A driveway shall be a minimum of 6.0 metres long and maximum of 3.5 metres wide regardless of whether access is provided by a public street or private lane.
 - (n) Second Residential Unit:
 - (i) Second residential units are permitted in row dwellings
 - (ii) Definitions:
 - (a) “Principal Residential Unit” means the main / core structure intended for human habitation on a lot.
 - (b) “Second Residential Unit” means a legally existing separate dwelling unit, which is ancillary to a principal residential unit

and includes a separate access, kitchen, washroom, and living space.

(iii) Second Residential Unit Area:

A second residential unit shall have a gross floor area not exceeding 40 per cent of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. For the purposes of this provision, calculations for gross floor area shall refer to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:

- (a) floor area occupied by mechanical, service, and electrical equipment that serve the building
- (b) an open porch
- (c) areas internal to the building that are intended for the storage of vehicles

(iv) Maximum Second Residential Units per Dwelling House: 1 unit only

(v) Access:

The second residential unit shall have separate access from that of the principal residential unit. Access shall be provided at the front of the building, or at the side or rear of the building where a minimum 1.2 metre wide unobstructed walkway from the front of the building to the access is provided.

(vi) Parking and Driveway:

- (a) A second residential unit shall have a minimum of 1 parking space.
- (b) An additional driveway shall not be permitted for a second residential unit.
- (c) Tandem parking shall be permitted for a row dwelling use with a second residential unit.

(By-Law Numbers 8499; 2016-59)

490. 199 Wilson Street

Notwithstanding the provisions of this by-law to the contrary, the lands designated 'A2.490' on Schedule "A" hereto, the following regulations shall apply:

(a) Definitions:

- (i) "Principal Residential Unit" means the main/core structure intended for human habitation, on a lot.
- (ii) "Second Residential Unit" means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.

(c) Additional Permitted Uses: A Second Residential Unit

(d) Second Residential Unit:

(i) Second Residential Unit Area:

A second residential unit shall have a gross floor area not exceeding 40 per cent of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. For the purposes of this provision, calculations for gross floor area shall refer to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:

- (a) floor area occupied by mechanical, service, and electrical equipment that serve the building
- (b) an open porch
- (c) areas internal to the building that are intended for the storage of vehicles

(ii) Maximum Second Residential Units per Dwelling House: 1 unit only

(iii) Access:

The second residential unit shall have separate access from that of the principal residential unit. Access shall be provided at the front of the building, or at the side of the building where a minimum

1.2 metre walkway from the front of the building to the access is provided.

(iv) Parking:

- (a) A second residential unit shall have a minimum of 1 parking space.
- (b) An additional driveway shall not be permitted for a second residential unit.
- (c) Tandem parking shall be permitted.

(By-Law Numbers 8499; 2016-59)

491. 23 Soccer Lane

Notwithstanding the provisions of Sections 4, 5 and 22 hereof to the contrary, the lands zoned 'C2.491-H' on Schedule "A" hereto, the following regulations shall apply:

(a) Definitions:

For the purpose of the 'C2.491' zone, the following definition shall apply:

Department Store shall mean a retail store where a wide range of merchandise is sold, including but not limited to the following:

Restaurant including without limitation fast food restaurant and/or coffee shop; fast-food restaurant with drive-through;

optical facility and optical services; vision services; medical and medical office use; walk-in medical clinic; dental and dental office use; general office use; hearing aid services; telephone and communication services; pharmacy; sale and installation of automotive parts; sale of off-road vehicles, snowmobiles and personal watercraft; vending machines; lottery sales; outdoor garden centre; sale of cut flowers, plants and floral supplies; financial services, including without limitation, provision of services pertaining to RESPs, RRSPs, cheque cashing and moneygrams; income tax and accounting services; sale of insurance related products; mortgage services; real estate services; one hour photo service; photography studio; sale of all food and beverage products; sale of pet food and pet supplies; children's amusement centre; travel sales; dry cleaner; hair salon; printer cartridge refill and toner services; sale of beer,

wine and alcohol products; repair of jewelry; nail or beauty salon and bank, including automated teller machine.

(b) Permitted Uses:

In addition to the uses permitted in Section 22.2 hereof, the following uses shall also be permitted:

- (i) department store
 - (ii) restaurant
- (c) The entire lands zoned C2.491 shall be treated as one site for the purpose of zoning.
- (d) A department store use in the C2.491 zone shall have a maximum gross floor area of 12,000 square metres.
- (e) The maximum combined gross leasable area of all permitted uses on the lands zoned C2.491 shall be 20,000 square metres:
- (i) A maximum of 15,000 square metres of gross floor area is permitted for Phase I;
 - (ii) An additional 5,000 will be permitted as future development, subject to a holding symbol, the provisions of which as detailed in Section (m) of the C2.491 zone.
- (f) Minimum Front Yard: 3 metres
- (g) Wherever a C2.491 zone abuts a residential zone, a yard of not less than 6 metres wide shall be provided within the zone.
- (h) Notwithstanding the provisions of Section 5.3 hereof, the minimum parking ratio requirement shall be 4.8 spaces per 100 square metres of gross floor area.
- (i) Parking for the C2.491 zone may be located on a lot not more than 100 metres from the C2.491 zone, subject to an agreement registered on title.
- (j) Notwithstanding the provisions of Section 5.4 hereof, the following provisions shall apply to loading spaces:
- (i) For a building or structure with a gross leasable floor area up to and including 2,300 square metres, no loading spaces shall be required.

- (ii) For a building or structure with a gross leasable area over 2,300 square metres but not exceeding 3,700 square metres, one loading space shall be required.
 - (iii) For a building or structure with a gross leasable area over 3,700 square metres, two loading spaces shall be provided.
- (k) Notwithstanding the provisions of this by-law to the contrary, a seasonal outdoor display and sales centre with a maximum area of 950 square metres is permitted as an area set aside outside of and adjacent to a building or structure within the C2.491 zone, used in conjunction with a business located on the same lot, and subject to the following provisions:
 - (i) The seasonal outdoor display and sales centre is seasonal in nature and does not include a permanent retailing area;
 - (ii) The seasonal outdoor display and sales centre is not located within a fire lane, a parking area or loading space required to fulfill the provisions of the Zoning By-Law; and
 - (iii) Open storage shall be permitted within the seasonal outdoor display and sales centre, consisting of a garden centre and pallet storage areas.”
- (l) Notwithstanding the provisions of Section 5.39 of this by-law:
 - (i) The “H” Holding symbol applies to the following use:
 - (a) day care centre
 - (ii) The “H” Holding symbol may be removed for the above use at such time as a Phase 1 Environmental Site Assessment and any subsequent assessments as necessary, including a Record of Site Condition for the entire site is prepared by a qualified person as defined by the Municipality and is completed to the satisfaction of the Municipality, with adherence to all municipal and provincial requirements.
- (m) Notwithstanding the provisions of Section 5.39 of this by-law:
 - (i) The “H” Holding symbol applies to a maximum additional 5,000 square metres of gross floor area as future development beyond the initial maximum of 15,000 square metres of gross floor area for Phase I; and

- (ii) The “H” Holding symbol may be removed for the additional gross floor area of up to 5,000 square metres, subject to a Traffic Impact Study prepared by a qualified person as defined by the Municipality to the satisfaction of the Municipality and the Ontario Ministry of Transportation.

(By-Law Numbers 8499; 2016-115)

492. 462 Barrie Street

Notwithstanding the provisions of Sections 5 and 13 hereof to the contrary, the lands designated ‘B.492’ on Schedule “A” hereto, the following regulations shall apply:

- a) Definitions:

For the purpose of the ‘B.492’ zone, the following definition shall apply:

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:

- (i) Common areas open to all occupants of the unit;
- (ii) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and
- (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

Notwithstanding the foregoing, for the purposes of this definition, a bachelor, bachelorette or studio unit shall be calculated to contain one bedroom.

- b) Notwithstanding the provisions of zone ‘B.492’, the existing building on the passing of By-Law Number 2016-86, shall only be converted to a maximum of 3 dwelling units, with the following requirements:
- c) Minimum Lot Area: 275 square metres
- d) Maximum Number of Dwelling Units: 3
- e) Maximum Aggregate Number of Bedrooms: 3

- f) Minimum Amenity Area:
 - (i) 54.1 square metres provided in the rear yard
 - (ii) 10.4 square metres provided in the front yard
 - (iii) Aggregate amenity area of 64.5 square metres
- g) Off-Street Parking
 - (i) A minimum of 2 parking spaces shall be provided
- h) Minimum Number of Bicycle Parking Spaces: 3
- i) Minimum Bicycle Parking Space dimension shall be 0.3 metres wide by 1.8 metres in length
- j) Projections into Yards:
 - (i) A covered or uncovered, enclosed stairwell 3.0 metres in height may project into the required side yard, but shall be no closer than 2.4 metres to the side lot line.

(By-Law Numbers 8499; 2016-86)

493. 169 Union Street

Notwithstanding the provisions of this by-law section hereof to the contrary, the lands designated 'C1.493' on Schedule "A" hereto, the following regulations shall apply to the building as existing on the date of the passage of this by-law with approximately 500 square metres of gross floor area:

- (a) Only Permitted Uses:
 - Convenience store
 - Laundromat
 - Pick-up / Drop-off Drycleaners
 - Video Store
 - Take out Restaurant
 - Coffee Shop

Personal Services Shop

Professional office including medical office limited to a single practitioner

Day care centre

One-family dwellings, two-family dwellings and three family dwellings, provided that such dwellings are located within a commercial structure;

Accessory buildings to any permitted use in the C1.493 zone

Professional dentist office, or professional office of a similar nature.

- (b) Parking spaces shall have minimum dimensions of 2.6 metres wide by 5.2 metres long and a minimum adjacent drive aisle width of 6.1 metres
- (c) Barrier free parking spaces shall have minimum dimensions of 3.7 metres wide by 5.2 metres long. The drive aisle adjacent to a barrier free parking space shall have a minimum width of 6.3 metres.

(By-Law Numbers 8499; 2016-87)

494. 358 Victoria Street

Notwithstanding the provisions of Sections 5 and 6 hereof to the contrary, the lands designated 'A.494' on Schedule "A" hereto, the following regulations shall apply:

- a) Definitions:

For the purpose of the 'A.494' zone, the following definition shall apply:

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include

- (i) Common areas open to all occupants of the unit;
- (ii) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and
- (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment

Notwithstanding the foregoing, for the purposes of this definition, a bachelor, bachelorette or studio unit shall be calculated to contain one bedroom.

- b) Notwithstanding the provisions of zone 'A.494', the existing building on the passing of By-Law Number 2016-97 shall only be converted to a maximum of 2 dwelling units, with the following requirements:
- c) Minimum Lot Area: 612 square metres
- d) Maximum Number of Dwelling Units: 2
- e) Maximum Aggregate Number of Bedrooms: 9
- f) Minimum Front Yard Setback: 4.73 metres
- g) Minimum Building Depth: 18.33 metres
- h) The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted;
- i) Existing Accessory Structure:
 - (i) Minimum side yard (north): 0.15 metres
- j) Access:

The second residential unit shall have separate access from that of the principle residential unit. Access shall be provided at the front of the building for the principle residential unit, and at the side or rear of the building for the second dwelling unit, where there is a minimum 0.87 metre wide unobstructed walkway, that does not impede drainage.
- k) Off-Street Parking:
 - (i) Parking in a stacked / tandem arrangement shall be permitted for a maximum of two parking spaces
 - (ii) One parking space shall be provided for each dwelling unit.

(By-Law Numbers 8499; 2016-97)

495. 230 Victoria Street

Notwithstanding the provisions of Section 5 and Section 10 hereof to the contrary, the lands designated 'A4.495' on Schedule "A" hereto, the following regulations shall apply:

(a) Definitions:

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:

- (i) Common areas open to all occupants of the unit;
- (ii) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and
- (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

Notwithstanding the foregoing, for the purposes of this definition, a bachelor, bachelorette or studio unit shall be calculated to contain one bedroom.

- (iv) "Principle Residential Unit" means the main / core structure intended for human habitation, on a lot.
- (b) The use of a cellar as a portion of the principle residential unit for habitation is permitted.

(By-Law Numbers 8499; 2016-127)

496. 1479 John Counter Boulevard

Notwithstanding the provisions of Section 31B.1 hereof to the contrary, the lands designated 'M9.496-H' on Schedule "A" hereto, the following regulations shall apply:

(a) Permitted uses are limited to:

- (i) Business park uses:
 - (a) offices for or in connection with businesses or professions;
 - (b) corporate administrative operations of an office nature;

- (c) data processing and related service, including call centre;
 - (d) film or recording studio;
 - (e) laboratory or research and development facility;
 - (f) printing establishment;
 - (g) technologically advanced manufacturing, fabricating and assembling operations for the production high value products (non-noxious);
 - (h) commercial school;
 - (i) education centre; and
 - (j) public use.
- (ii) Complementary / commercial uses:
- (a) bank or financial institution;
 - (b) clinic;
 - (c) retail store;
 - (d) pharmacy;
 - (e) restaurant;
 - (f) personal service shop; and
 - (g) day care.
- (b) Complementary / commercial uses shall be limited to a maximum of 25 per cent of the total gross floor area of all buildings on the lot.
- (c) Accessory uses:
- (i) Accessory uses are permitted in accordance with the General Provisions;
 - (ii) A maximum of 25 per cent of the total floor area for any single tenant or business may be used for the purposes of the display and retail sale of products manufactured, processed, fabricated or assembled on the premises.

- (d) Open storage is prohibited.

- (e) 'H' Holding Zone Provisions:
 - (i) The 'H' Holding provision applies to a day care use.
 - (ii) The 'H' Holding provision shall not be removed until the following conditions have been satisfied:
 - (a) The submission of a Phase I Environmental Site Assessment and any subsequent assessment as necessary, including a Record of Site Condition, prepared by a qualified person as defined by the City of Kingston and completed to the satisfaction of the City of Kingston and which adheres to all applicable municipal and provincial requirements; and
 - (b) The submission of a satisfactory noise impact study prepared by a qualified person as defined by the City of Kingston and completed to the satisfaction of the City of Kingston and which adheres to all applicable municipal and provincial requirements.”

(By-Law Numbers 8499; 2016-142)

497. 469 Earl Street

Notwithstanding the provisions of Sections 5 and 6.3 hereof to the contrary, the A.497 Zone shall apply to regulate the existing structures on the date of passing of this by-law. Any new development or redevelopment of the property shall be required to comply with the performance standards of the A zone and all other general provisions of By-Law Number 8499 as amended, with the exception of the following provisions:

- (a) Zone Provisions:
 - (i) The minimum lot area shall be 232 square metres per dwelling unit
 - (ii) Minimum Rear Yard for the existing one-family dwelling: 1.4 metres
 - (iii) Maximum Percentage of Lot coverage: 37 per cent
 - (iv) Maximum Yard Projection for the existing front porch and steps: 0.6 metres from the front lot line
 - (v) Minimum Accessory Building Setbacks for the existing detached garage:
 - a. Minimum Front Yard: 3.7 metres

- b. Minimum Rear Yard: 2.8 metres

(By-Law Numbers 8499; 2016-136)

498. 471 Earl Street

Notwithstanding the provisions of Sections 5 and 6.3 hereof to the contrary, the A.498 Zone shall apply to regulate the existing structures on the date of passing of this by-law. Any new development or redevelopment of the property shall be required to comply with the performance standards of the A zone and all other general provisions of by-law 8499 as amended, with the exception of the following provisions:

(a) Zone Provisions

- (i) The minimum lot area shall be 184 square metres per dwelling unit
- (ii) Minimum Yard Setbacks for the existing one-family dwelling:
 - a. Minimum Front Yard 3.2 metres
 - b. Minimum (West) Side Yard: 0.0 metres
 - c. Minimum Rear Yard: 1.0 metres
- (iii) Maximum Percentage of Lot coverage: 48 per cent
- (iv) Minimum Accessory Building Setbacks for the existing attached garage:
 - a. Minimum Front Yard: 3.2 metres
 - b. Minimum Rear Yard: 3.2 metres
 - c. Minimum Distance from Window on Dwelling: 0.0 metres

(By-law 8499; 2016-136)

499. 473 Earl Street

(a) Zone Provisions:

- (i) The minimum lot area shall be 240 square metres per dwelling unit
- (ii) Minimum Rear Yard Setbacks for the existing one-family dwelling:
3.2 metres

- (iii) Maximum Percentage of Lot coverage: 37 per cent
- (iv) Maximum Yard Projection for the existing front porch: 2.9 metres from the front lot line
- (v) Maximum Building Depth for the existing one-family dwelling: 11.6 metres.

(By-Law Numbers 8499; 2016-136)

500. 103 Richardson Drive

Notwithstanding the provisions of Section 5 and Section 10 hereof to the contrary, the lands designated 'A3.500' on Schedule 'A' hereto, the following regulations shall apply:

- (a) The use of a cellar as a residential unit for habitation is permitted.
- (b) Parking and Driveway:
 - (i) The required parking may be provided through a tandem parking arrangement with one space being provided within the garage and one space being in the front yard within the driveway.
 - (ii) The maximum width of the driveway for front yard parking is 2.7 metres.
- (c) A detached accessory building is permitted.

(By-Law Numbers 8499; 2016-169)

501. 241 University Avenue

Notwithstanding the provisions of Section 5 and Section 17 hereof to the contrary, the lands designated 'E.501' on Schedule 'A' hereto, the following regulations shall apply:

- (a) In addition to the provisions of Section 17(2), the following uses shall also be permitted:
 - (i) A building containing: 4 residential dwelling units;
 - (b) Bedroom Limitations:
 - (i) **Definition:**
Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include:

- (a) Common areas open to all occupants of the unit;
- (b) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and
- (c) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
Notwithstanding the foregoing, for the purposes of this definition, a bachelor, bachelorette or studio unit shall be calculated to contain one bedroom.
 - (ii) No more than fourteen (14) bedrooms shall be permitted within the building.

(c) Zone Provisions:

- (i) Minimum Front Yard: 1.5 metres
- (ii) Minimum front yard for porch with roof: 0.4 metres
- (iii) Side Yard (minimum): 0.3 metres
- (iv) Aggregate Side Yard (minimum): 3.3 metres
- (v) Maximum percentage of lot coverage: 33%
- (vi) Amenity Space (minimum): 109 square metres
- (vii) Play space requirement: 0.0 square metres
- (viii) Height (maximum) 11.3 metres
Notwithstanding this section, an additional 3.0 metres in height may be permitted for a stair tower.

(d) Parking:

- (i) Minimum Number of Parking Spaces: 3 parking spaces;
- (ii) Minimum Number of Barrier Free Parking Spaces: 0 parking spaces;

(By-law 8499; 2016-171)

502. 99 Chatham Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, the lands designated 'A.502' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Definitions:
 - (i) "Second Residential Unit" means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.
- (b) Additional Permitted Uses:
A Second Residential Unit
- (c) Minimum Lot Area: 255 square metres
- (d) Maximum Number of Dwelling Units: 2
- (e) Minimum side yard (north): 0 metres
- (f) Maximum building depth: 16.2 metres
- (g) Maximum rear yard parking area: 40 square metres
- (h) Maximum site coverage: 40%
- (i) Minimum number of parking spaces 1

(By-law 8499; 2016-196)

503. 92 Cataraqui Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, the lands designated 'A.503' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Minimum Lot Area: 215 square metres per dwelling unit
- (b) Minimum Front Yard: 2.0 metres
- (c) Minimum Side Yard:
 - (i) Where a rear yard is less than 5.0 metres in depth, one side yard is required to have a minimum width of 5.0 metres. The second side yard is required to have a minimum width of 0.6 metres.
 - (ii) Where a rear yard has a minimum depth of 5.0 metres, the minimum aggregate side yard requirement is 1.8 metres, with no side yard being less than 0.6 metres in width.

- (d) Minimum Rear Yard: 2.4 metres
- (e) Maximum Building Depth:
There shall be no maximum building depth requirement.
- (f) Accessory Building:
 - (i) An accessory building shall be no closer than 0.6 metres from any lot line.
 - (ii) An accessory building shall be no closer than 0.6 metres from any window or door of the main building to which it is accessory.
- (g) Projections into Yards:
Unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered, are permitted 1.0 metre from a front lot line.

(By-law 8499; 2016-170)

504. 15 James Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, the lands designated 'A.504' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Minimum Lot Area: 215 square metres per dwelling unit
- (b) Minimum Front Yard: 1.5 metres
- (c) Minimum Side Yard:
The minimum aggregate side yard requirement is 1.8 metres, with no side yard being less than 0.6 metres in width.
- (d) Minimum Rear Yard: 5.8 metres
- (e) Maximum Percentage of Lot Coverage: 37.5%
- (f) Maximum Building Height:
 - (i) The maximum permitted height of any exterior wall exclusive of end gable shall be 9.0 metres.
 - (ii) A flat roof shall not be permitted above the 9.0 metre exterior wall.
- (g) Maximum Building Depth:
There shall be no maximum building depth requirement.

- (h) Accessory Building:
 - (i) An accessory building shall be no closer than 0.6 metres from any lot line.
 - (ii) An accessory building shall be no closer than 0.6 metres from any window or door of the main building to which it is accessory.
- (i) Projections into Yards:
 - (i) Unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered, are permitted not less than 1.0 metre from a side lot line if located more than 0.6 metres above the established grade. If a minimum 1.5 metre high privacy screen is erected, the setback may be reduced to 0.6 metres.
 - (ii) Unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered including an enclosed space located beneath are permitted 0.0 metre from a front lot line for a maximum length of 6.0 metres.

(By-law 8499; 2016-170)

505. 113 Raglan Road

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, the lands designated 'A.505' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Definitions:
 - (i) "Secondary Residential Unit" means a legally existing separate residential dwelling unit, which is ancillary to a principal dwelling unit, contained in the same building, and includes a separate, clearly defined, safe access, kitchen, washroom and living space.
- (b) Additional Permitted Uses:
 - A Second Residential Unit
- (d) The use of a cellar for habitation is permitted.
- (e) Minimum Lot Area: 200 square metres
- (f) Minimum Number of Parking Spaces: 1 parking space

(By-law 8499; 2016-186)

506. 15 Markland Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, the lands designated 'A.506' on Schedule 'A' hereto, the following regulations shall apply:

(a) Minimum Lot Area: 195 square metres

(b) Minimum Front Yard: 2.0 metres

(c) Minimum Side Yard:

The minimum aggregate side yard requirement is 1.8 metres, with no side yard being less than 0.6 metres.

(d) Minimum Rear Yard: 7.0 metres

(e) Maximum Lot Coverage: 38%

(f) Maximum Building Depth:

There shall be no maximum building depth requirement.

(g) Projections into Yards:

Unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered, are permitted 0.0 metre from a front lot line.

(h) Holding Symbol:

That the use and removal of the '-H' symbol on the western portion of the lands shall be in accordance with the regulations of Section 5.39 of the Zoning By-Law and that prior to the removal of the '-H' Symbol and any redevelopment of the lands the following provisions shall be complied with:

- That a Stage 3 Archaeological Assessment shall be submitted and approved by the Municipality and the Ministry of Tourism, Culture and Sport.

(By-law 8499; 2016-192)

507. (256 Elmwood Street)

Notwithstanding the provisions of Section 5 and Section 8 hereof to the contrary, the lands designated 'A2-507' on Schedule 'A' hereto, the following regulations shall apply:

(a) Additional Permitted Uses:

- (i) Three-unit dwelling

- (b) The maximum area in the rear yard that may be used for uncovered vehicle parking shall be limited to 54 square metres.
- (c) Deemed to comply
 - (i) The multiple family dwelling existing as of the date of the passing of this By-Law shall be deemed to comply with the requirements of the Zoning By-Law. In the event that the existing building on the site is removed, any new development shall be subject to the regulations of Section 8 of this By-Law.

(By-law 8499; 2016-198)

508. A.508 (85 King Street East and 46 Simcoe Street)

Notwithstanding the provisions of Sections 5 and 6 hereof to the contrary, the lands designated 'A.508' on Schedule 'A' hereto, the following regulations shall apply:

- a. Permitted uses shall be limited to a maximum of three dwelling units, with a maximum of one dwelling unit permitted in the existing carriage house.
- b. For the purposes of zoning interpretation, the properties located within the A.508 zone will be considered as one lot, with King Street East defined as the front lot line.
- c. The existing house and carriage house on the property as of the date of the passage of the by-law are deemed to comply.
- d. The maximum building depth shall be 40.9 metres for the purpose of linking the main house at 85 King Street East to the carriage house at 46 Simcoe Street.
- e. The minimum number of required parking spaces shall be four (4).
- f. Parking shall be permitted in the yard adjacent to Simcoe Street, provided that it is set back 5.4 metres from the lot line.
- g. A maximum of 65 square metres of uncovered parking shall be permitted.
- h. Any new construction or redevelopment shall comply with the provisions of the 'A' Zone.

(By-law 8499; 2016-190)

509. Barbara Avenue

Notwithstanding the provisions of Section 5 and Section 15 hereof to the contrary, the lands designated 'B2.509' on Schedule 'A' hereto, the following regulations shall apply:

(a) Definitions:

- (i) Stacked row dwelling: means a dwelling house containing four or more principal dwelling units where the units in each pair are divided horizontally, and the pairs are divided vertically, and in which each dwelling unit has an independent entrance from the exterior.
- (ii) Height: means the vertical distance measured from the average grade surrounding the building footprint to the highest point of the roof surface in the case of flat roofs or to a point halfway up the roof in the case of pitched roofs.

(b) Additional Permitted Uses:

- (i) Stacked row dwelling
- (ii) Row dwelling

(c) For the purposes of interpretation, the lot lines within the 'B2.509' Zone shall be;

- (i) Front Lot Line: The northern property line abutting Barbara Avenue shall be deemed the front lot line
- (ii) Rear Lot Line: The southernmost property line shall be deemed the rear lot line
- (iii) Side Lot Line: All other property lines shall be deemed side lot lines

(d) Zone Provisions

- (i) Minimum Front Yard: 3.5 metres
- (ii) Minimum Rear Yard: 30 metres
- (iii) Minimum Side Yard: 3.0 metres

Notwithstanding the above, the minimum side yard requirement for the easternmost portion of the easterly side yard shall be 15.0 metres

- (iv) Maximum Height: 10.0 metres
 - (v) Maximum Number of Dwelling Units: 16
 - (vi) Play Space requirement: 0.0 square metres
 - (vii) Maximum Number of Dwelling Units per Building: 16
- (e) Off-Street Parking
- (i) Parking facilities shall be provided on the same lot and may be located in all yards but shall not be located closer to any property line than 3.0 metres.
 - (ii) Within the 3.0 metre front yard setback there shall be trees, hedges or ornamental fencing for the purpose of screening the surface parking from Barbara Avenue.
- (f) Bicycle Parking
- (i) Minimum Bicycle Parking Space dimension shall be 1.8 metres in length by 0.3 metres wide and a minimum overhead vertical clearance of 2.1 metres
- (g) The provisions of Section 5.22(c) shall apply to stacked row dwellings

(By-law 8499; 2016-200)

510. Fray Street

Notwithstanding the provisions of Section 5 and Section 15 hereof to the contrary, the lands designated 'B2.510-H' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Definitions:
- (i) Stacked row dwelling: means a dwelling house containing four or more principal dwelling units where the units in each pair are divided horizontally, and the pairs are divided vertically, and in which each dwelling unit has an independent entrance from the exterior.

- (ii) Height: means the vertical distance measured from the average grade surrounding the building footprint to the highest point of the roof surface in the case of flat roofs or to a point halfway up the roof in the case of pitched roofs.

- (b) Additional Permitted Uses:
 - (i) Stacked row dwelling
 - (ii) Row dwelling

- (c) For the purposes of interpretation, the lot lines within the 'B2.510-H' Zone shall be:
 - (i) Front Lot Line: The street line abutting Fray Street shall be deemed the front lot line.
 - (ii) Rear Lot Line: The northernmost property line shall be deemed the rear lot line.
 - (iii) Side Lot Line: All other property lines shall be deemed side lot lines.

- (d) Zone Provisions
 - (i) Minimum Front Yard: 20.0 metres
 - (ii) Minimum Rear Yard: 8.5 metres
 - (iii) Minimum Side Yard: 4.5 metres
 - (iv) Maximum Height: 10.0 metres
 - (v) Maximum Number of Dwelling Units per Building: 20
 - (vi) Maximum Number of Dwelling Units: 100
 - (vii) Play Space requirement: 0.0 square metres

- (e) Any lot line which abuts a property with frontage on Division Street shall have a minimum yard of 18.0 metres, except for an accessory structure, which shall have a minimum yard of 1.2 metres.

- (f) Buffering (minimum)
 - (i) A minimum 1.8 metre in height screen shall be provided on the property adjacent to the entire length of the westernmost side lot line. Height shall be measured from the grade level located

adjacent to the eastern face of the proposed screen. The screen may be comprised of masonry, retaining, living wall, fencing, vegetative screen or a combination thereof.

- (g) Off-Street Parking
- (i) Parking facilities shall be provided on the same lot and may be located in all yards but shall not be located closer to any property line than 3.0 metres.
 - (ii) Within the 3.0 metre front yard setback there shall be trees, hedges or ornamental fencing for the purpose of screening the surface parking from Fray Street.
- (h) Bicycle Parking
- (i) Minimum Bicycle Parking Space dimension shall be 1.8 metres in length by 0.3 metres wide and a minimum overhead vertical clearance of 2.1 metres
- (i) No building containing dwelling units will be nearer to any other such building than 4.5 metres but a minimum distance of 10.0 metres shall be maintained between rear faces of opposite housing blocks and/or apartment buildings.
- (j) The provisions of Section 5.22(c) shall apply to stacked row dwellings
- (k) Removal of Holding Provision (-H)
- Notwithstanding the provisions of Section 5.39, the following shall also apply:
- (a) All applicable municipal requirements and financial arrangements have been completed to the satisfaction of Council for the construction of Fray Street.

(By-law 8499; 2016-200)

511. 27 Pine Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, the lands designated 'A.511' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Minimum Lot Area: 350 square metres
- (b) Maximum Number of Dwelling Units: 2
- (c) Maximum Building Depth:

There shall be no maximum building depth requirement.
- (d) Minimum Yard adjacent to Cowdy Street: 0.75 metres

(By-law 8499; 2016-211)

512. 37 and 39 Churchill Street

Notwithstanding the provisions of Section 5 and Section 11 hereof to the contrary, the lands designated 'A5.512' on Schedule 'A' hereto, the following regulations shall apply:

- (a) For the purposes of zoning interpretation, the lands included in the A5.512 Zone shall be treated as a single parcel.
- (b) Definitions:
 - (i) "Second Residential Unit" means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.
- (c) Additional Permitted Uses:
Second Residential Unit
- (d) Minimum Lot Area: 740 square metres
- (e) Minimum Rear Yard for 39 Churchill: 3.9 metres
- (f) Maximum Number of Principal Dwelling Units: 2
- (g) Maximum Number of Second Residential Units: 2
- (h) Maximum rear yard and interior side yard parking area: 70 square metres
- (i) Where four parking spaces are required, a single entrance and exit lane with a minimum width of 3.0 metres shall be permitted.

(By-law 8499; 2017-39)

513. 22 Davidson Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, the lands designated 'A.513' on Schedule 'A' hereto, the following regulations shall apply:

- (a) The use of a cellar as a portion of an existing dwelling unit or as a habitation unit is permitted.

(By-law 8499; 2017-17)

514. 556 Princess Street

Notwithstanding the provisions of Section 5 and 23C hereof to the contrary, the lands designated 'C4.514' on Schedule 'A' hereto, the following regulations shall apply:

- (a) All buildings/structures shall fit within a 70 degree angular plane taken from the rear property line, with the exception of all buildings/structures within 3.7 metres of the North West (side) property line which shall fit within a 65 degree angular plane taken from the rear property line. However, this does not prevent the erection of structures, such as guard rails, required for public safety or building maintenance.
- (b) Minimum Rear Yard: 3.4 metres
- (c) Residential parking may be located on a developed lot not more than 75 metres from the lot upon which the building is situated.
- (d) Maximum Number of Dwelling Units: 3
- (e) Maximum Aggregate Number of Bedrooms: 15
- (f) Amenity Area
 - (i) Definition:

“Amenity Area” means an outdoor area exterior to the residential building, or interior area common to all residential units within a residential building, which is designed and intended primarily for the leisure and recreation of the occupants of the building.
 - (ii) Minimum amenity area: 54 square metres
 - (iii) Amenity areas, or any part thereof, shall be designed and located so that the length does not exceed four (4) times the width.
 - (iv) Amenity areas, if provided as communal space, must be aggregated into one area or grouped into areas of not less than 54 square metres.

(By-Law 8499; 2017-38- OMB File Number PL170196)

515. 682 Princess Street

Notwithstanding the provisions of Section 5 hereof to the contrary, the lands designated 'C4.515' on Schedule 'A' hereto, the following regulations shall apply:

- a) The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted;
- b) Maximum Number of Dwelling Units: 3
- c) Maximum Aggregate Number of Bedrooms: 13
- d) Minimum required Amenity Area: 200 square metres

(By-law 8499; 2017-36)

516. 230 Collingwood Street

Notwithstanding the provisions of Section 5 and Section 13 hereof to the contrary, the lands designated 'B.516' on Schedule 'A' hereto, the following regulations shall apply:

- a) Definitions

Bedroom shall mean any room within a residential unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater certainty does not include

- (i) Common areas open to all occupants of the unit;
- (ii) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and
- (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

Notwithstanding the foregoing, for the purposes of this definition, a bachelor, bachelorette or studio unit shall be calculated to contain one bedroom.

- b) Maximum number of bedrooms per dwelling unit: 3
- c) Maximum aggregate number of bedrooms: 8
- d) Minimum front yard setback: 2.9 metres
- e) Minimum side yard setback: 1.9 metres

- f) Minimum aggregate side yard setback: 4.6 metres
- g) Minimum rear yard setback: 5.2 metres
- h) Maximum percentage of lot coverage 42%
- i) Maximum building height: 8.7 metres
- j) The stairs providing access to the front porch are permitted a minimum of 1.5 metres from the front lot line
- k) Off-Street Parking
 - (i) Required number of parking spaces: 2
 - (ii) Parking in a stacked/tandem arrangement shall be permitted for a maximum of two parking spaces
 - (iii) Up to 40 square metres of the interior side yard may be used as an uncovered parking area
 - (iv) Parking facilities shall be located no closer to the front lot line than the nearest wall of the main building.
- l) There shall be no minimum play space requirement
- m) The use of a cellar as a portion of a residential unit for habitation is permitted.

(By-law Number 8499; 2017-71)

517. 671 Brock Street

Notwithstanding the provisions of Section 5 and Section 16 of this By-law to the contrary, the lands zoned 'B3.517' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Minimum Front Yard 3.9 metres
 - (i) Notwithstanding Section (a), a canopy and associated ground support may project 1.9 metres into the minimum required front yard setback.
- (b) Minimum Side Yard:
 - (i) East 1.0 metres
 - (ii) West 6.8 metres
 - (iii) Aggregate 7.8 metres
 - (iv) Notwithstanding Section(b)(ii) and Section (b)(iii), a canopy may project 1.1 metres into the minimum required side yard setback.

- (c) Maximum Lot Occupancy 120%
- (d) Maximum Density 197 dwelling units per net hectare
- (e) Maximum Height:
- (i) The maximum permitted height to the top of the third floor parapet is 10.5 metres.
 - (ii) Notwithstanding Section (e)(i), an additional 2.5 metres in height is permitted for a partial fourth floor that is limited to an amenity room, rooftop mechanical equipment, stair and elevator shaft overruns and trellises.
 - (iii) The maximum permitted gross floor area of the indoor amenity room located on the fourth floor shall be 90 square metres.
 - (iv) The front wall of the amenity room located on the fourth floor, rooftop mechanical equipment, stair and elevator shaft overruns shall be no closer than 7.0 metres from the front wall of the building.
 - (v) Notwithstanding Section (e)(iv), trellises shall be located no closer than 5.5 metres from the front wall of the building.
- (f) Access
- (i) The minimum width for a drive isle shall be 6.0 metres
- (g) Off-Street Parking
- (i) The minimum number of off-street parking spaces shall be 15 spaces.
 - (ii) The minimum size of a parking space shall be 2.6 metres wide and 5.7 metres long.
 - (iii) The minimum number of off-street barrier free parking spaces shall be 2 spaces.
 - (iii) The minimum size of a barrier free parking space shall be 3.7 metres wide and 5.7 metres long.
 - (vi) Notwithstanding Section (g)(iii), if a 1.5 metre side pedestrian access isle is provided beside a barrier free parking space, the minimum barrier free parking space dimension can be 3.2 metres wide and 5.7 metres long.

(h) Bicycle Parking

- (i) The minimum number of off-street bicycle parking spaces shall be 29 spaces.
- (ii) The minimum size of a bicycle parking space shall be 0.45 metres wide and 1.2 metres of vertical clearance.

(By-Law Number 8499; 2017-79)

518. 5 Couper Street

Notwithstanding the provisions of Sections 5 and 14 hereof to the contrary, the 'B1.518' Zone shall apply to regulate the existing structure on the date of passing of this by-law.

(i) Interpretation:

For the purposes of zoning interpretation the lands within the 'B1.518' zone shall be treated as a single parcel.

- (ii) Maximum Density: 66 dwelling units per hectare
- (iii) Maximum Number of Bedrooms 17
- (iv) Minimum Aggregate Amenity Area: 197 metres
- (v) Minimum Front Yard: 6.1 metres
- (vi) Minimum East Side Yard Setback for the existing one storey rear addition:
0.5 metres
- (vii) Minimum East Side Yard Setback for the existing three-storey structure:
1.6 metres
- (viii) Maximum Height: 11 metres
- (ix) Maximum Lot Coverage: 30%
- (x) One shared entrance/exit lane for vehicle access to the rear parking area shall be permitted, with a minimum width of 3.0 metres

(By-law Number 8499; 2017-105)

519. 735, 743 King Street West

Notwithstanding the provisions of Section 5 and Section 11 hereof to the contrary, the lands designated 'A5.519' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Definitions:
 - (i) Archive: means a collection of historical documents, records or artifacts providing information about a place, institution or group of people.
- (b) Additional Permitted Uses:
 - (i) Archive
- (c) For the purposes of interpretation, the lot lines within the 'A5.519' Zone shall be:
 - (i) Front Lot Line: The southern property line abutting King Street shall be deemed the front lot line
 - (ii) Rear Lot Line: The northern property line abutting Baiden Street shall be deemed the rear lot line
 - (iii) Side Lot Line: All other property lines shall be deemed side lot lines
- (d) Zone Provisions
 - (i) Minimum Side Yard: 5.0 metres
- (e) Off-Street Parking
 - (i) Parking facilities shall be provided on the same lot and shall not be located closer than 20 metres from the rear lot line
 - (ii) The minimum number of parking spaces shall be six (6)
 - (iii) Up to 105 square metres of the rear yard may be used as an uncovered parking area.

(By-law number 8499; 2017-80)

520. 735, 743 King Street West

Notwithstanding the provisions of Section 5 and Section 11 hereof to the contrary, the lands designated 'A5.520' on Schedule 'A' hereto, the following regulation shall apply:

- (a) Accessory Building
 - (i) An accessory building shall be no closer than 0.5 metres to any side or rear lot line.

(By-law number 8499; 2017-80)

521. (735, 743 King Street West)

Notwithstanding the provisions of Section 5 and Section 11 hereof to the contrary, the lands designated 'A5.521' on Schedule 'A' hereto, the following regulations shall apply:

(a) Zone Provisions

- (i) Minimum Lot Area: 400 square metres

(b) Off Street Parking:

- (i) Up to 35 square metres of the rear or interior side yard may be used as an uncovered parking area

(By-law number 8499; 2017-80)

522. 735, 743 King Street West

Notwithstanding the provisions of Section 5 and Section 11 hereof to the contrary, the lands designated 'A5.522' on Schedule 'A' hereto, the following regulations shall apply:

(a) Zone Provisions

- (i) Minimum Lot Area: 335 square metres
(ii) Minimum Front Yard: 1.5 metres
(iii) Maximum Lot Coverage: 40%
(iv) Notwithstanding Section (a)(ii), the minimum front yard setback for a corner lot shall be 1.5 metres from any street line
(v) Garages attached to the principle building are prohibited.

(b) Off-Street Parking

- (i) Up to 35 square meters of the rear or interior side yard may be used as an uncovered parking area.

- (c) Detached garages shall be located a minimum of 6.0 metres from the street line.

(By-law number 8499; 2017-80)

523. 271, 273 Earl Street

Notwithstanding the provisions of Section 5 and Section 17 hereof to the contrary, the lands designated 'E.523' on Schedule 'A' hereto, the following regulations shall apply:

(a) Definitions

- (i) Height: means the vertical distance measured from the average grade surrounding the building footprint to the highest point of the roof surface in the case of flat roofs or to a point halfway up the roof in the case of pitched roofs.
- (ii) Bedroom: means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
 - (i) Common areas open to all occupants of the unit;
 - (ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen), and
 - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment

(b) Additional Permitted Uses:

- (i) Multiple Family Dwelling

(c) For the purposes of zoning interpretation, the properties located within the 'E.523' zone shall be considered as one lot

(d) Zone Provisions

- (i) Minimum Front Yard: 3.0 metres
- (ii) Minimum Side Yard (East): 1.7 metres
- (iii) Minimum Side Yard (West): 5.0 metres
- (iv) Minimum Rear Yard: 10.5 metres
- (v) Maximum height: 9.8 metres
- (vi) Notwithstanding Section (d)(v), an additional 3.0 metres in height may be permitted for window washing equipment, lighting fixture, ornamental elements, lightning rods, parapets, trellises, eaves, window sills, guardrails, railings, stairs, stair enclosures, vents, ventilating equipment, landscaped and green roof elements, solar panels, partitions dividing outdoor space, wind

mitigation, chimney stack, exhaust flues and garbage chute overruns.

- (vii) Maximum number of Dwelling Units: 8 units
- (viii) Maximum number of bedrooms: 32
- (ix) Minimum required play space: 0 square metres
- (x) Minimum required amenity space: 170 square metres
- (xi) All rooftop amenity space shall be setback a minimum of 1.0 metres from the edge of an exterior building wall.

(e) Off-Street Parking

- (i) The minimum number of parking spaces shall be four (4)
- (ii) Minimum parking space dimension shall be 6.0 metres in length and 2.6 metres wide

(f) Barrier Free Parking

- (i) The minimum number of barrier free parking spaces shall be one (1)
- (ii) Minimum barrier free parking space dimension shall be 6.0 metres in length and 3.4 metres wide
- (iii) A 1.5 metres wide access aisle shall be provided directly adjacent to a barrier free parking space

(g) Bicycle Parking

- (i) Minimum bicycle parking space dimension shall be 1.8 metres in length by 0.3 metres wide and a minimum overhead clearance of 2.1 metres

(h) Accessory Buildings

- (i) Minimum setback for accessory buildings: 0 metres from any side or rear lot line.

(i) Projections into Yards

- (i) A covered or uncovered, unenclosed porch, deck, balcony, steps, or veranda of any height may project into the required front yard, but shall be no closer than 1.0 metre to the front lot line.

- (ii) A covered or uncovered, unenclosed porch, deck, balcony, steps, or veranda of any height may project into the required western side yard, but shall be no closer than 2.5 metres to the side lot line.
- (iii) A covered or uncovered, unenclosed porch, deck, balcony, steps, or veranda of any height may have a maximum area of 50% of the yard in which it is located.
- (j) Access
 - (i) A separate ingress and egress lane is not required.
- (k) The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted.

(By-law 8499; 2017-92)

524. 332 Yonge Street

Notwithstanding the provisions of Section 5 and Section 14 hereof to the contrary, the lands designated 'B1.524' on Schedule 'A' hereto, the following regulations shall apply:

The use of a cellar as a dwelling unit or as a habitation unit is permitted.

- (b) Maximum Number of Dwelling Units: 2
- (c) Minimum side yard (south): 1.1 metres
- (d) Minimum Lot Width 16.6 metres
- (e) Maximum Density: 30.5 du/ha
- (f) Minimum number of parking spaces 1/dwelling unit
- (g) Accessory Structure:
 - (i) Minimum distance to main building 1.2 metres

(By-law 8499; 2017-99)

525. 174 Wilson Street

Notwithstanding the provisions of Section 5 and 11 hereof to the contrary, the lands designated 'A5.525' on Schedule 'A' hereto, the following regulations shall apply:

- a) Minimum Lot Area:
 - Two-family dwelling 466 square metres

b) Off-street parking:

Up to 33 square metres of the interior side yard may be used as uncovered parking area.

(By-law 8499; 2017-106)

526. 752 King Street West

Notwithstanding the provisions of this By-Law to the contrary, and subject to compliance with the provisions of Section 5, on the lands designated 'A8.526-H' on Schedule 'A' hereto, the following provisions shall apply:

a) Permitted Uses:

i) Residential Uses:

Row dwellings

Multiple family dwellings

Home occupation, provided it is located within a row dwelling

Accessory buildings to any permitted use

b) Provisions:

The following provisions shall apply to the uses permitted in the 'A8.526-H' Zone:

- | | | |
|------|----------------------------|-------------------------|
| i) | Minimum Front Yard | 3.0 metres |
| ii) | Minimum Rear Yard | |
| | Multiple family dwellings: | 7.5 metres |
| | Row dwellings: | 6.0 metres |
| iii) | Minimum Exterior Side Yard | 3.0 metres |
| iv) | Minimum Interior Side Yard | |
| | Multiple family dwellings: | 2.4 metres |
| | Row dwellings: | 1.2 metres for end unit |
| v) | Minimum Lot Area | |
| | Row dwellings: | 158 square metres |
| vi) | Minimum Lot Width | |

- | | | |
|-------|---|---------------------------------------|
| | Row dwellings: | 6.0 metres |
| vii) | Minimum Lot Width of a Corner Lot | |
| | Row dwellings: | 9.0 metres |
| viii) | Minimum Lot Coverage | |
| | Multiple family dwellings: | 50% of the lot area |
| ix) | Maximum Height | 4 storeys |
| x) | Minimum Density | 30 dwelling units per net hectare |
| xi) | Maximum Density | 75 dwelling units per net hectare |
| xii) | Maximum Number of Row Dwelling Units per Building : | 8 dwelling units |
| xiii) | Minimum Amenity Area | |
| | Multiple family dwellings: | As per Section 4.2A of this By-law |
| xiv) | Parking Requirements | |
| | Multiple family dwellings: | As per Section 5.3 of this By-law |
| | Row dwellings: | As per Section 12B (k) of this By-law |
| xv) | Loading Areas | |
| | Multiple family dwellings: | As per Section 5.4 of this By-law |
| xvi) | Maximum Garage and Driveway Width | |
| | Row dwellings: | As per Section 12B (n) of this By-law |
| xvii) | Garage Location | |
| | Row dwellings: | As per Section 12B (o) of this By-law |

- xviii) Projections into Yards
 - Row dwellings: As per Section 12B (p) of this By-law
- xix) Accessory Buildings
 - Multiple family dwellings: As per Section 5.17 of this By-law
 - Row dwellings: As per Section 12B (u) of this By-law
- xx) Home occupations: As per Section 5.20 of this By-law
(By-Law 8499; 2017-187)

527. 752 King Street West

Notwithstanding the provisions of this By-law to the contrary, and subject to compliance with the provisions of Section 5, on the lands designated 'B3.527-H' on Schedule 'A' hereto, the following provisions shall apply:

- a) Permitted Uses:
 - i) Residential Uses:
 - Multiple family dwellings
 - Senior Citizen Apartments
 - Residential Care Facilities
 - Accessory buildings to any permitted use
 - ii) Non-Residential Uses:
 - Retail stores
 - Neighbourhood stores
 - Food stores with a maximum gross leasable floor area of 223 square metres
 - Offices for or in connection with a business or profession
 - Banks or financial institutions
 - Restaurants

Restaurants, take-out

Libraries, art galleries or museums

Day care centres

Accessory buildings to any permitted use

b) Provisions:

The following provisions shall apply to the uses permitted in the 'B3.527-H' Zone:

- | | | |
|--------|---|---|
| i) | Minimum Front Yard: | 2.0 metres |
| ii) | Maximum Front Yard | 4.5 metres |
| iii) | Minimum Exterior Yard: | 3.0 metres |
| iv) | Maximum Exterior Yard | 4.5 metres |
| v) | Minimum Interior Side Yard | 0.0 metres |
| vi) | Minimum Rear Yard | 7.5 metres |
| vii) | Minimum Lot Frontage | 60.0 metres |
| viii) | Minimum Lot Area | 0.4 hectares |
| ix) | Minimum Lot Coverage | 50% of the lot area |
| x) | Minimum Height | 3 storeys |
| xi) | Maximum Height | 8 storeys |
| xii) | Minimum Density | 75 dwelling units per net hectare |
| xiii) | Maximum Density | 123 dwelling units per net hectare |
| xiv) | Minimum Amenity Area | As per Section 5.27 of this By-law |
| xv) | Parking Requirements | As per Section 5.3 of this By-law |
| xvi) | Loading Areas | As per Section 5.4 of this By-law |
| xvii) | Accessory Buildings | As per Section 5.17 of this By-law |
| xviii) | Courts | The least permissible horizontal dimension of any court shall not be less than the height of such court |
| xix) | Multiple family dwelling units are not permitted on the first storey with lot frontage on King Street West. | |
| xx) | Free-standing non-residential uses shall not be permitted. | |
| xxi) | Vehicle access, driveways, parking and loading areas are not permitted in the front yard abutting King Street West. | |

- xxii) At least 70 percent of the front wall of the first storey of the main building shall be located within 3.0 metres of the front lot line.
- xxiii) Buildings shall be stepbacked a minimum of 1.5 metres above the fourth storey.
- xxiv) Minimum floor to ceiling height of the first storey shall be 4.0 metres, for buildings with lot frontage on King Street West.
- xxv) The minimum building transparency shall be 50% of the front building façade and/or exterior side yard building façade, of the first storey for buildings with lot frontage on King Street West.
- xxvi) Principal building entrances shall be located on the front building facade for buildings with lot frontage on King Street West.
- xxvii) Rooftop mechanical equipment, units and elevator penthouses shall be fully screened and or integrated into the building or building parapet.

(By-Law 8499; 2017-187)

528. 346 University Avenue

Notwithstanding the provisions of Section 5 and Section 23C hereof to the contrary, the lands designated 'C4.528' on Schedule 'A' hereto, the following regulations shall apply:

- (a) The use of a cellar as a dwelling unit or as a habitation unit is permitted.
- (b) Maximum Number of Dwelling Units: 10
- (c) Minimum Width of Driveway 3.3 metres
- (d) Minimum number of parking spaces 0.7 per dwelling unit
- (e) Minimum Amenity Area 10 metres squared per dwelling unit
- (f) "Planting Strip" means the open unobstructed space at grade on a lot accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of trees, shrubs, hedges and flower beds.
- (g) A 2 metre wide planting strip shall be provided along the front property line containing a mix of trees, shrubs, hedges and flower beds.

- (h) A 1.2 metre wide walkway shall be provided from the public sidewalk to the barrier free parking located at the rear of the building. The walkway shall be visually distinguished with contrasting paving materials or markings.

(By-Law 8499; 2017-188)

529. 66 Earl Street

Notwithstanding the provisions of Section 5 and Section 13 hereof to the contrary, the lands designated 'B.529' on Schedule 'A' hereto, the following regulations shall apply:

(a) Definitions

- (i) Principal Residential Unit" means the main/core structure intended for human habitation, on a lot.
- (ii) Second Residential Unit" means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.

(b) Additional Permitted Uses:

- (i) A Second Residential Unit

(c) Minimum Front Yard Setback: 3.9 metres

(d) Minimum Lot Area: 297 square metres

(e) Maximum Lot Coverage: 38%

- (f) The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted;

(g) Access

- (i) The second residential unit shall have separate access from that of the principle residential unit. Access shall be provided at the front of the building for the principle residential unit, and at the side or rear of the building for the second dwelling unit, where there is a minimum 1.0 metre wide unobstructed walkway, that does not impede drainage;

(h) Off-Street Parking

- (i) Minimum standard parking dimensions shall be 2.6 metres wide by 6.0 metres in length
 - (ii) Parking in a stacked /tandem arrangement shall be permitted for a maximum of two parking spaces
 - (iii) One parking space shall be provided for each dwelling unit;
- (i) Notwithstanding Section 4.2A of Zoning By-Law Number 8499, as amended;

Amenity Area, Private: means an indoor area or room within an individual dwelling unit which has a minimum clear ceiling height of 2.08 metres (6 foot 10 inches) and a minimum floor area of 10 square metres (108 square feet), used by the residents of the unit for passive recreational purposes, and may include a living room, study, den, recreational room, and similar uses, but is not deemed to include a kitchen, lavatory, bedroom, foyer, lobby, hall, closet, garage, laundry room, furnace room or stairwell.

(By-Law 8499; 2017-189)

530. 46 Cowdy Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, the lands designated 'A.530' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Minimum Lot Area: 175 square metres per dwelling unit
- (b) Minimum Aggregate Side Yard Setback: 3.0 metres
- (c) Minimum Interior Side Yard Setback 0.6 metres
- (d) Minimum Interior Side Yard for a Building Abutting a Residential Property with Frontage on Stephen Street 4.0 metres
- (e) Maximum Lot Coverage: 40%

(By-Law 8499; 2017-192)

531. 94 Carruthers Avenue

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, the lands designated 'A.531' on Schedule 'A' hereto, the following regulations shall apply:

(a) Minimum Lot Area: 255 square metres per dwelling unit

(b) Minimum Side Yard:

Exterior side yard 3.5 metres

(c) Minimum Rear Yard: 0.3 metres

(d) Maximum Building Depth:

There shall be no maximum building depth requirement.

(e) Projections into Yards:

Unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered, are permitted 2.0 metre from an exterior side lot line.

(By-Law 8499; 2017-191)

532. 371 College Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, the lands designated 'A.532' on Schedule 'A' hereto, the following regulations shall apply:

(a) Minimum Lot Area: 205 square metres per dwelling unit

(b) Minimum Front Yard: 2.5 metres

(c) Minimum Side Yard:

The minimum aggregate side yard requirement is 1.8 metres, with no side yard being less than 0.6 metres in width.

(d) Minimum Rear Yard:

Rear Yard to Dwelling 5.0 metres

Rear Yard to Garage 3.0 metres

(e) Maximum Percentage of Lot Coverage: 43%

(g) Maximum Building Depth:

There shall be no maximum building depth requirement.

(h) Projections into Yards:

Unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered, are permitted not less than 1.25 metre from the front lot line, if located more than 0.6 metres above the established grade.

(i) Maximum Floor Space Index 1.38

(By-Law 8499; 2017-191)

533. 85 Sydenham Street

Notwithstanding the provisions of Sections 4, 5, 6 and 13 hereof to the contrary, the B.533 Zone shall apply to regulate the existing structures on the date of passing of this by-law and a two storey addition to the detached garage. Any new development or redevelopment of the property shall be required to comply with the performance standards of the B zone and all other general provisions of by-law 8499 as amended:

a) Minimum Lot Area Per Dwelling Unit: 208 square metres

b) Maximum Lot Coverage: 43 %

c) Maximum Building Height: 8.1 metres

(By-Law 8499; 2017-198)

534. 3 Adelaide Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, the lands designated 'A.534' on Schedule 'A' hereto, the following regulations shall apply:

(a) Minimum Front Yard Setback: 4.0 metres

(b) Minimum Width of Driveway: 4.5 metres

(By-Law 8499; 2017-192)

535. 672 Division Street

Notwithstanding the provisions of Section 5 and Section 11 hereof to the contrary, the lands designated 'A5.535' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Additional Permitted Uses:
 - (ii) A three-family dwelling shall be a permitted use, provided that the three units are contained within the walls of the building in existence as of the date of the passing of this By-Law.
- (b) The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted;
- (c) Off-Street Parking
 - (iv) Maximum of 50 square metres of the rear yard and interior side yard may be used as uncovered parking area for residential uses;

(By-Law 8499; 2017-206)

536 783 King Street West

Notwithstanding the provisions of Section 5 and Section 11 hereof to the contrary, the lands designated 'A5.536' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Maximum Number of Dwelling Units: 3
- (b) Minimum Lot Area: 400 square metres
- (c) Minimum Lot Width: 10 metres
- (d) Minimum Front Yard Setback: 5.2 metres
- (e) Front Yard Projections
 - i) A covered or uncovered, unenclosed porch, deck, balcony, or veranda of any height may project into the required front yard, but shall be no closer than 3.3 metres to the front lot line.
 - ii) The steps associated with the covered or uncovered, unenclosed porch, deck, balcony, or veranda of any height may

project into the required front yard, but shall be no closer than 1.5 metres to the front lot line.

- (f) Maximum Height: 10.5 metres
- (g) Minimum Side Yard: 1.2 metres
- (h) Minimum Aggregate Side Yard: 2.7 metres
- (i) Minimum Setback for Accessory Buildings: 0 metres from side or rear lot line
- (j) A maximum of 75 square metres of uncovered parking shall be permitted.
- (k) Minimum required amenity space: 75 square metres
- (l) Minimum required play space: 0 square metres
- (m) Bicycle Parking
 - i) The minimum number of bicycle parking spaces shall be three (3).
 - ii) Minimum Bicycle Parking Space dimension shall be 1.8 metres in length by 0.3 metres wide and a minimum overhead vertical clearance of 2.1 metres.
- (n) Access and Parking
 - i) The minimum number of parking spaces shall be three (3).
 - ii) An unobstructed 1.5 metre wide driveway shall be located along the western portion of the subject property, adjacent to 785 King Street West, to provide vehicular access to a rear parking area.
 - iii) An unobstructed 3.0 metre wide drive aisle shall be located along the northwestern portion of the subject property, adjacent to 785 King Street West and the parking spaces, to provide vehicular access at the rear of the subject property.

(By-Law 8499; 2017-229)

537 785 King Street West

Notwithstanding the provisions of Section 5 and Section 11 hereof to the contrary, the lands designated 'A5.537' on Schedule 'A' hereto, the following regulations shall apply:

- a) Maximum Number of Dwelling Units: 3

- b) Minimum Lot Area: 400 square metres
- c) Minimum Lot Width: 10 metres
- d) Minimum Front Yard Setback: 5.2 metres

- e) Front Yard Projections
 - i) A covered or uncovered unenclosed porch, deck, balcony, or veranda of any height may project into the required front yard, but shall be no closer than 3.3 metres to the front lot line.
 - ii) The steps associated with the covered or uncovered, unenclosed porch, deck, balcony, or veranda of any height may project into the required front yard, but shall be no closer than 1.5 metres to the front lot line.

- f) Maximum Height: 10.5 metres
- g) Minimum Side Yard: 1.2 metres
- h) Minimum Aggregate Side Yard: 2.7metres
- i) Minimum Setback for Accessory Buildings: 0 metres from side or rear lot line
- j) A maximum of 75 square metres of uncovered parking shall be permitted
- k) Minimum required amenity space: 75 square metres
- l) Minimum required play space: 0 square metres
- m) Bicycle Parking
 - i) The minimum number of bicycle parking spaces shall be three (3).
 - ii) Minimum Bicycle Parking Space dimension shall be 1.8 metres in length by 0.3 metres wide and a minimum overhead vertical clearance of 2.1 metres.

- n) Access and Parking
 - i) The minimum number of parking spaces shall be three (3).
 - ii) An unobstructed 1.5 metre wide driveway shall be located along the eastern portion of the subject property, adjacent to 783 King Street West, to provide vehicular access to a rear parking area.
 - iii) An unobstructed 3.0 metre wide drive aisle shall be located along the northeastern portion of the subject property, adjacent

to 783 King Street West and the parking spaces, to provide vehicular access at the rear of the subject property.

(By-Law 8499; 2017-229)

538. 306-308 Montreal Street

Notwithstanding the provisions of Sections 5, 6.3 and 13 hereof to the contrary, the 'B.538-H' Zone shall apply to regulate the existing structures on the date of passing of this By-Law and a 17.8 square metre deck constructed at the rear. Any new development or redevelopment of the property shall be required to comply with the performance standards of the B zone and all other general provisions of By-Law 8499 as amended:

(a) Definitions

For the purpose of the B.538-H zone, the following definitions shall apply:

- i. "Neighbourhood Commercial Uses" shall mean small-scale commercial uses that serve the needs of the adjacent neighbourhood and may include the following types of uses: general stores, clothing stores, food stores, drug stores, banks, restaurants and delicatessens, coffee shops, barber shops, beauty salons, hardware stores, sporting goods stores, florist, laundromat, dry-cleaning agencies for the receipt and delivery only of dry-cleaned articles.
- ii. "Professional Office" shall mean a building or part of a building wherein one or more individuals are employed in the management, direction, or conducting of any agency, business, brokerage or labour organization and includes such uses as a doctor's office, lawyer's office, an architect's office, an engineer's office, office of a Drugless Practitioner, real estate agency, consulting firm, communications office, and research business, but does not include any use otherwise defined in this By-Law. This use class does not include medical clinics.
- iii. "Drugless Practitioner" means a drugless practitioner within the meaning of The Drugless Practitioners Act, as amended.

- iv. “Live-Work Unit” shall mean a dwelling unit occupied in conjunction with an art gallery, an artisan’s studio, and/or a permitted, recreational or commercial use on the subject property.

(b) Lot lines

- (i) Front Lot lines:

The north and east lot lines, abutting Charles and Montreal Street respectively, shall be deemed to be the front lot lines.

- (ii) Side Lot lines:

The south and west lot lines shall be deemed to be side lot lines.

(c) Permitted uses

The permitted uses in the B.538-H zone are limited to:

- i. Neighbourhood Commercial Uses: provided that these commercial uses do not occupy a total floor area greater than 165 square metres on the ground floor.
- ii. Professional Office: provided that this commercial use does not occupy a total floor area greater than 90 square metres on the ground floor.
- iii. Recreational Use: provided that this use does not occupy a total floor area greater than 90 square metres on the ground floor.
- iv. Live-Work Unit: provided that the art gallery, artisan’s studio and/or the permitted recreational or commercial use associated with the dwelling unit does not occupy a total floor area greater than 165 square metres on the ground floor.
- v. One and two family dwellings
- vi. Multiple family dwellings
- vii. Uses permissible in Zone A subject to the provisions for Zone A

- (d) Maximum number of dwelling units: Four (4) subject to Holding Provisions under subsection (h) (ii.)

(e) Off-street parking:

- i. The minimum number of spaces shall be two (2).
- ii. The minimum required dimensions shall be 2.6 m by 5.2 m.
- iii. Parking spaces may be located closer to the street line than the nearest wall of the main building.

(f) Minimum barrier free parking space length: 5.2 metres

(g) Minimum amenity area: 17 square metres

(h) Removal of Holding Provision (-H)

In addition to the provisions of Section 5.39, the following provisions apply to the lands zoned B.538-H:

- i. A restaurant, delicatessen, coffee shop, barber shop, beauty salon, artisan's studio, laundromat and dry cleaning outlet shall not be permitted until Municipal-Industrial Strategy for Abatement (MISA) manhole is installed on the property. The Holding Symbol shall not be removed until such time as the MISA manhole is installed.
- ii. Deleted

(By-Law 8499; 2017-234; 2018-177)

539. 194 Mack Street

Notwithstanding the provisions of Sections 5, 6.3 and 13 hereof to the contrary, the lands designated 'B.539' on Schedule 'A' hereto, the following regulations shall apply:

- (i) Permitted uses:
 - a. One and two-family dwellings
 - b. Multiple family dwellings
- (ii) Maximum Residential Density: 90 dwelling units per hectare
- (iii) Maximum Height: 10.7 metres
- (iv) Maximum Lot Coverage: 35%
- (v) Minimum Number of Parking Spaces: 2
- (vi) Minimum Front Yard: 1.2 metres
- (vii) Minimum East Side Yard Setback: 1.2 metres

- (viii) Minimum West Side Yard Setback: 6.0 metres
- (ix) Minimum Rear Yard Setback of 6.0 metres, with the exception of a rear, below-grade stairwell with a length of 3.1 metres and a width of 1.3 metres, where the minimum rear yard shall be 4.9 metres.

(By-Law 8499; 2018-4)

540. 102 and 104 Park Street

Notwithstanding the provisions of Sections 5 and 6 hereof to the contrary, the lands designated 'A.540' on Schedule 'A' hereto, the following regulations shall apply:

- a) Additional Permitted Uses: semi-detached dwelling
- b) Habitable space is permitted in a cellar
- c) Front Yard (minimum): 2.0 metres
- d) Uncovered stairs used to access the main entrance of a dwelling may project into the front yard, but shall be no closer than 1.0 metre to the front lot line.
- e) Lot Area (minimum): 245 metres squared per unit
- f) Aggregate Side Yard
 - i. Minimum aggregate side yard: 2.3 metres;
 - ii. The calculation of the aggregate side yard may include one half of the width of the right-of-way between the two properties.
- g) Building Depth (maximum): 17.5 metres
- h) Lot Coverage (maximum percentage): 38%
- i) Building Height: The maximum building height of a dwelling's exterior wall, exclusive of the end gable, shall be 7.2 metres.
- j) Access to the rear yard and parking spaces shall be provided by way of a shared driveway with a minimum width of 3.0 metres.

(By-Law 8499; 2018-3)

541. 1010 Portsmouth Avenue

Notwithstanding the provisions of Sections 5, 13 and 38 hereof to the contrary, on the lands designated 'B.541' on Schedule 'A' hereto, the following regulations shall apply:

- a) Permitted Uses:
 - i. One and two family dwellings subject to the provisions for zone A;
 - ii. Multiple family dwellings; and,
 - iii. The use of a cellar as a dwelling unit.
- b) Maximum Number of Dwelling Units: 3
- c) Maximum Residential Building Height: 10.7 metres
- d) Flood Plain Setback:
 - i. No building or structure shall be erected within 6.0 metres of an 'EPA' zone
 - ii. Parking may be permitted within this setback requirement.

(By-Law 8499; 2018-14)

542. 1028 Portsmouth Avenue

Notwithstanding the provisions of Sections 5 and 13 hereof to the contrary, on the lands designated 'B.542' on Schedule 'A' hereto, the following regulations shall apply:

- a) Permitted Uses:
 - i. One and two family dwellings subject to the provisions for zone A;
 - ii. Multiple family dwellings; and,
 - iii. The use of a cellar as a dwelling unit.
- b) Maximum Number of Dwelling Units: 3
- c) Maximum Residential Building Height: 10.7 metres
- d) Flood Plain Setback:
 - i. No building or structure shall be erected within 6.0 metres of an 'EPA' zone.
 - ii. Parking may be permitted within this setback requirement.
- e) Off-street Parking:
 - i. Parking shall be located behind the front wall of the main building.

(By-Law 8499; 2018-14)

543. 303 York Street

- a) Notwithstanding the provisions of Section 33.2 hereof to the contrary, the following uses shall also be permitted as accessory uses within the lands zoned P1.543-H' on Schedule A hereto:
- Specific day retail sales
 - Trade show

The uses noted above are defined as follows:

Specific Day Retail Sales means the use of any lot, building or structure, or part thereof, for an event that brings together members of the public or an industry for the purpose of selling or buying goods or services, including entering into contracts for the sale and/or purchase of goods or services, which are complementary to the principle permitted use.

Trade Show means the use of any lot, building or structure, or part thereof, for an event held to bring together members of a particular industry to display, demonstrate, and promote their latest products and services, which are complementary to the principle permitted use.

- b) Notwithstanding the foregoing, a trade show and specific day retail sales shall be prohibited while the Holding symbol “-H” is in place.
- c) Removal of Holding Provision

Notwithstanding Section 5.39, the Holding symbol “-H” shall only be removed when all of the following applicable requirements have been complied with:

- i. A change of use permit complete with a building code analysis, prepared by a Qualified Professional must be submitted which demonstrates that the existing building complies with the requirements of the Ontario Building Code for a trade show and specific day retail sales as defined herein. The letter of opinion must be reviewed to the satisfaction of the Chief Building Official (CBO).
 - ii. The “H” Holding Zone provision will only be removed for the specified use(s) which have satisfied the above-noted condition.
- d) Parking Provision
- i. Parking for any recreational use and accessory use to a recreational use shall be at a rate of 1 space for each 26 square metres of gross floor area.

(By-Law 8499; 2019-78)

544. 14 North Bartlett Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, the lands designated 'A.544' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Minimum Lot Area: 280 square metres/dwelling unit
(By-Law 8499; 2018-54)

545. 644 Victoria Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, the lands designated 'A.545' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Minimum Front Yard Setback on Victoria Street: 3.6 metres
- (b) Minimum Front Yard Setback on North Bartlett Street: 4.2 metres
(By-Law 8499; 2018-54)

546. 133 Dalton Avenue

Notwithstanding the provisions of Section 31B hereof to the contrary, the lands zoned 'M9.546' on Schedule 'A' hereto, the following regulations shall apply:

- i. Permitted uses shall also include:
 - a) Professional office;
 - b) Education centre;
 - c) Commercial school.
- ii. Permitted complementary uses, which shall not occupy an area which is greater than 25% of the total floor area of the building(s) on the lot, shall include:
 - a) Retail store
 - b) Bank or financial institution
 - c) Recreational use
 - d) Sports training and treatment centre
 - e) Veterinary clinic
 - f) Medical office
 - g) Medical clinic
 - h) Dental office
 - i) Personal service shop
 - j) Restaurant
 - k) Coffee or bakery shop
- iii. No landscaped area shall be required adjacent to the side or rear lot lines.
(By-Law 8499; 2018-63)

547. 480 Earl Street

Notwithstanding the provisions of Section 5 and Section 10 hereof to the contrary, the lands designated 'A4.547' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Minimum Lot Area: 340 square metres
- (b) Maximum Number of Dwelling Units: 1
- (c) Projections into Yards:
 - (i) Unenclosed porches, decks, balconies and verandas, covered or uncovered, are permitted 2.9 metres from the front lot line abutting Earl Street.
 - (ii) Uncovered stairs are permitted 1.4 metres from the front lot line abutting Earl Street.

(By-Law Number 8499; 2018-179-LPAT File Number PL180475)

548. 268 Victoria Street

Notwithstanding the provisions of Section 5 and Section 10 hereof to the contrary, the lands designated 'A4.548' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Minimum Lot Area: 420 square metres
- (b) Maximum Number of Dwelling Units: 1
- (c) Minimum Front Yard:
 - (i) 1.9 metres (Victoria Street)
 - (ii) 0.4 metres (Earl Street)
- (d) Projections into Yards:
 - (i) Uncovered porches, decks, balconies and verandas, covered or uncovered, are permitted 0.4 metres from the front lot line abutting Earl Street.
 - (ii) Unenclosed porches, decks, balconies and verandas, covered or uncovered, are permitted 0.9 metres from the front lot line abutting Victoria Street.
 - (iii) Uncovered stairs are permitted 0.0 metres from the front lot line abutting Victoria Street.
- (e) Accessory Buildings:
 - (i) Minimum Side Yard: 0.2 metres

(By-Law Number 8499; 2018-179-LPAT File Number PL180475)**549. 143 Beverley Street**

Notwithstanding the provisions of Section 6 hereof to the contrary, the lands designated 'A.549' on Schedule 'A' hereto, the following regulations shall apply:

- (i) Minimum Lot Area of 482 square meters for a Two-Family Dwelling.

(By-Law 8499; 2018-90)

550. 311 Conacher Drive (Lot 215 on Draft Plan of Subdivision dated October 25, 2016)

Notwithstanding the provisions of Section 12B hereof to the contrary, the lands zoned 'A8.550' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Minimum Required Lot Area: 155 square metres

(By-Law 8499; 2018-97)

551. 434 Johnson Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, the lands designated 'E.551' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Minimum Lot Area: 281 square metres/dwelling unit
- (b) Minimum Front Yard Setback: 0.9 metres
- (c) Maximum Yard Projections for Deck
 - (i) The existing deck may project to a setback of: 0 metres
- (d) Minimum Accessory Structure setback
 - i) Side Yard: 0 metres
 - ii) Rear Yard: 0 metres

(By-Law 8499; 2018-98)

552. 438 Johnson Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, the lands designated 'E.552' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Minimum Lot Area: 203 square metres/dwelling unit
- (b) Minimum Front Yard Setback: 1.3 metres

- (c) Minimum Side Yard: 0.2 metres
 - (d) Minimum Aggregate Side Yard: 1.3 metres
 - (e) Maximum Percentage of Lot Coverage: 37%
 - (f) Maximum Yard Projections for Deck
 - (i) The existing deck may project to a setback of: 0 metres:
- (By-Law 8499; 2018-98)

553. 7 James Street

Notwithstanding the provisions of Sections 5 and 6 hereof to the contrary, the lands designated 'A.553' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Definitions
 - (i) "Principal Residential Unit" means the main/core structure intended for human habitation, on a lot.
 - (ii) "Second Residential Unit" means a legally existing separate residential dwelling unit, which is ancillary to a principal residential unit, and includes a separate, clearly defined, safe access, kitchen, washroom and living space.
- (b) Lot Lines:

For the purposes of zone interpretation, the James Street frontage shall be deemed to be the Front Lot Line, the northern lot line opposite the James Street frontage shall be deemed to be the Rear Lot Line, the Rideau Street frontage shall be deemed to be the Exterior Side Lot Line, and the western lot line opposite the Rideau Street frontage shall be deemed to be the Interior Side Lot Line.
- (c) Additional Permitted Uses:
 - (i) A Second Residential Unit
- (d) Minimum Lot Area: 262 square metres
- (e) Maximum Lot Coverage: 36%
- (f) Minimum Front Yard: 1.9 metres, with the exception of a below-grade stairwell with a length of 7.0 metres and a width of 1.9 metres, where the minimum front yard shall be 0.3 metres.

- (g) Minimum Exterior Side Yard: 1.4 metres
- (h) Minimum Rear Yard: 6.0 metres, with the exception of a below-grade patio with a length of 8.5 metres and a width of 4.1 metres, and a depth of 1.27 metres, where the minimum rear yard shall be 2.0 metres.
- (i) Maximum Residential Building Height: 11.6 metres
- (j) Maximum Aggregate Length of all Dormers: 5.9 metres
- (k) Projections into Yards:
 - a. A covered porch and stairs are permitted 0.2 metres from the front lot line.
 - b. A bay window is permitted to encroach 0.5 metres into the front yard.
- (l) Off-Street Parking:
 - a. Parking in a stacked/tandem arrangement shall be permitted for a maximum of two parking spaces.
 - b. The minimum required parking space length is 5.2 metres.
 - c. One parking space shall be provided for both the principal residential unit and the second residential unit for a total of two required parking spaces.
- (m) Access
 - a. The second residential unit shall have a separate access from that of the principal residential unit. Access shall be provided at the front of the building for both the principle residential unit and the second residential unit, where there is a minimum 1.2 metre wide unobstructed walkway, that does not impede drainage.
- (n) Sight Triangles
 - a. Two sight triangles shall be required, as follows:

The location of the first sight triangle shall be located by drawing a line between a point on the exterior side lot line that is 6.0 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 2.0 metres from the intersection of the front lot line and the exterior side lot line.

The location of the second sight triangle shall be located by drawing a line between a point on the exterior side lot line that is 2.0 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 6.0 metres from the intersection of the front lot line and the exterior side lot line.

- b. All buildings on corner lots shall be set back from the street line as to maintain the required sight triangles. Within any area defined as a sight triangle, the following uses shall be prohibited:
- i. A building, structure or use which would obstruct the vision of drivers or motor vehicles which extends to a height of 4.15 metres;
 - ii. A fence, tree, hedge, bush, or other vegetation, the top of which exceeds 1 metre in height above the elevation of the street line;
 - iii. A finished grade which exceeds the elevation of the street line by more than 0.5 metres.

554. 11 James Street

Notwithstanding the provisions of Sections 5 and 6 hereof to the contrary, the lands designated 'A.554' on Schedule 'A' hereto, the following regulations shall apply:

(a) Definitions

- (iii) "Principal Residential Unit" means the main/core structure intended for human habitation, on a lot.
- (iv) "Second Residential Unit" means a legally existing separate residential dwelling unit, which is ancillary to a principal residential unit, and includes a separate, clearly defined, safe access, kitchen, washroom and living space.

(b) Additional Permitted Uses:

- (ii) A Second Residential Unit
- (c) Minimum Lot Area: 262 square metres
- (d) Maximum Lot Coverage: 34%
- (e) Minimum Front Yard: 1.9 metres, with the exception of a below-grade stairwell with a length of 7.0 metres and a width of 1.9 metres, where the minimum front yard shall be 0.2 metres.
- (f) Minimum Rear Yard: 6.0 metres, with the exception of a below-grade patio with a length of 8.5 metres and a width of 4.2 metres, and a depth of 1.27 metres, where the minimum rear yard shall be 2.0 metres.
- (g) Maximum Residential Building Height: 11.6 metres
- (h) Maximum Aggregate Length of all Dormers: 5.9 metres
- (i) Projections into Yards:
 - a. A covered porch and stairs are permitted 0.2 metres from the front lot line.
 - b. A bay window is permitted to encroach 0.5 metres into the front yard.
- (j) Off-Street Parking:
 - a. Parking in a stacked/tandem arrangement shall be permitted for a maximum of two parking spaces.
 - b. The minimum required parking space length is 5.2 metres.
 - c. One parking space shall be provided for both the principal residential unit and the second residential unit for a total of two required parking spaces.
- (k) Access
 - a. The second residential unit shall have a separate access from that of the principal residential unit. Access shall be provided at the front of the building for both the principle residential unit and the second residential unit, where there is a minimum 1.2 metre wide unobstructed walkway, that does not impede drainage.

(By-Law 8499; 2018-109)

555. (575, 579, 601, 605, 611 Princess Street & 510 Frontenac Street)

Notwithstanding the provisions of Section 5 and Section 23C to the contrary, the lands designated 'C4.555' on Schedule 'A' hereto, the following regulations shall apply:

(a) For the purposes of the 'C4.555' zone, the following definitions shall apply:

- i. 'Bedroom' shall mean any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater does not include:
 - a. Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen);
 - b. Common areas open to all occupants of the unit;
 - c. Areas occupied by mechanical equipment, such as furnaces, hot water heaters, and laundry equipment.
- ii. 'Planting Area' means an area of land that is used for the growth and maintenance of flowers, trees, shrubbery shall contain a mix of native deciduous and coniferous trees.

(b) Building Height

- (i) No part of the building shall exceed the height limits in metres as shown on Schedule 'B', attached hereto and forming part of this By-Law.
- (ii) Height shall be measured from the finished floor grade of 99.3 metres geodetic.
- (iii) The maximum angular plane requirements shall not apply.

(c) Density

- (i) The maximum number of residential dwelling units shall be 359.
- (ii) The maximum number of bedrooms shall be 565. For the purposes of the 'C4.555' zone, a studio dwelling unit shall be considered a 1 bedroom dwelling unit.

- (iii) The ground floor shall contain a minimum of commercial gross floor area of 800 square metres.

(d) Ground Floor Height

- (i) Ground floor height shall mean the floor-to-floor height as measured from the finished grade of 99.0 metres geodetic.
- (ii) The minimum ground floor height shall be 4.5 metres.

(e) Yard Projections

- (i) Stairs are permitted to project into the front yard adjacent to Frontenac Street with a minimum setback of 0.0 metres.
- (ii) The maximum width of the stairs projecting into the front yard adjacent to Frontenac Street shall be 1.5 metres. Areas in the front yard abutting Frontenac Street not occupied by stairs shall be landscaped with a Planting Area.

(f) Off-Street Parking

- (i) A minimum parking ratio of 0.52 parking spaces per residential unit is provided.
- (ii) A minimum parking ratio of 1 space per 150 square metres of gross leasable area for any commercial use is provided.
- (iii) Parking spaces shall have minimum dimensions of 2.6 metres wide by 5.2 metres long.

(g) Off-Street Accessible Parking

- (i) A minimum of 10 accessible parking spaces are provided; 5 Type A and 5 Type B spaces.
- (ii) Type A spaces shall have minimum dimensions of 3.4 metres wide by 5.2 metres long.
- (iii) Type B spaces shall have minimum dimensions of 2.4 metres wide by 5.2 metres long.
- (iv) An access aisle with minimum dimensions of 1.5 metres wide by 5.2 metres long and marked with high tonal contrast diagonal lines is required adjacent to Type A and Type B accessible parking spaces.

The access aisle may be shared between Type A and Type B spaces.

(h) Bicycle Parking

- (i) A minimum of 1 bicycle parking stall per residential unit shall be provided.
- (ii) Horizontal bicycle parking stalls shall have a minimum dimension of 1.8 metres by 0.45 metres with a vertical clearance of 2.1 metres.
- (iii) Vertical bicycle parking stalls shall have a minimum dimension of 1.2 metres by 0.45 metres.
- (iv) A minimum of 75% of on-site bicycle parking stalls shall be covered.
- (v) Up to a maximum of 25% of on-site bicycle parking stalls are permitted to be securely located outdoors and exposed to the elements.

(i) Community Benefits

- (i) Securement and registration of any required agreements with respect to Community Benefits of the development under Section 37 of the *Planning Act*.

(By-Law 8499, 2018-111)

556. 254 Collingwood Street

Notwithstanding the provisions of Section 5 and 10 hereof to the contrary, the lands designated 'A4.556' on Schedule 'A' hereto, the following regulations shall apply:

- a) Minimum Required Lot Area: 320 square metres for two dwelling units
- b) Minimum Required Lot Width: 10 metres for two dwelling units

(By-Law 8499; 2018-122)

557 652 Princess Street, 662-670 Princess Street & 551 Victoria Street

Notwithstanding the provisions of Sections 4, 5 and 23C to the contrary, the lands designated 'C4.557' on Schedule 'A' hereto, the following regulations shall apply:

(j) For the purposes of the 'C4.557' zone, the following definitions shall apply:

(iii) 'Bedroom' shall mean any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater does not include:

- a. Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen);
- b. Common areas open to all occupants of the unit; and
- c. Areas occupied by mechanical equipment, such as furnaces, hot water heaters, and laundry equipment.

(iv) 'Car Share' shall mean the practice where a number of people share the use of one or more motor vehicles that are owned by a car sharing company or organization, such car share vehicles to be made available for short term rental, including hourly rental.

(k) Building Height

(iv) No part of the building shall exceed the height limits in metres as shown on Schedule 'B', attached hereto and forming part of this By-Law.

(v) The angular plane requirements shall not apply.

(l) Yards

- (i) For Nelson Street only, a minimum of 22 percent of the frontage shall be built to the 3.0 metres (minimum), for the height of the streetwall.
- (m) Yards Projections**
- (i) Stairs are permitted to project into the front yard adjacent to Victoria Street with a minimum setback of 0.0 metres.
- (n) Density**
- (iv) The maximum number of residential dwelling units shall be 325.
 - (v) The maximum number of bedrooms shall be 432. For the purposes of the 'C4.557' zone, a studio/bachelor dwelling unit shall be considered a 1 bedroom dwelling unit.
 - (vi) The ground floor shall contain a minimum of commercial gross floor area of 680 square metres.
- (o) Ground Floor Height**
- (iii) The minimum ground floor height shall be 4.5 metres.
- (p) Off-Street Parking**
- (iv) A minimum parking ratio of 0.5 parking spaces per residential unit is provided.
 - (v) A minimum parking ratio of 1 space per 150 square metres of gross leasable area for any commercial use is provided.
 - (vi) Parking spaces shall have minimum dimensions of 2.6 metres wide by 5.2 metres long.
 - (vii) A vertical stacked parking structure or facility is permitted to be located within the south elevation of the building.
 - (viii) 3 Car Share parking spaces shall be provided and maintained on site.
 - (ix) 1 Car Share parking space shall be equivalent to 3 regular off-street parking spaces.
- (q) Off-Street Accessible Parking**
- (v) A minimum of 9 accessible parking spaces are provided; 5 Type A and 4 Type B spaces.

- (vi) Type A spaces shall have minimum dimensions of 3.4 metres wide by 5.2 metres long.
 - (vii) Type B spaces shall have minimum dimensions of 2.7 metres wide by 5.2 metres long.
 - (viii) An access aisle with minimum dimensions of 1.5 metres wide by 5.2 metres long and marked with high tonal contrast diagonal lines is required adjacent to Type A and Type B accessible parking spaces. The access aisle may be shared between Type A and Type B spaces.
 - (ix) Accessible parking spaces shall have a minimum vertical clearance of 2.75 metres.
- (r) Bicycle Parking**
- (ii) Vertical bicycle parking stalls shall have a minimum dimension of 1.0 metres by 0.4 metres.
- (s) Loading**
- (t) A minimum of two loading spaces shall be required;**
- (i) One space shall have minimum dimensions of 3.5 metres wide by 8.5 metres long and the second space shall have minimum dimensions of 3.5 metres wide by 7.1 metres long.
- (u) Holding Symbol**
- (i) The '(H)' Holding Symbol shall be removed in accordance with the provisions of Section 5.39 of this By-Law and subject to the following specific requirement:
 - a. Confirmation from Utilities Kingston of a contract being awarded and signed for sanitary system upgrades.

(By-Law 8499, 2018-126)

558 316 Albert Street

Notwithstanding the provisions of Section 6 hereof to the contrary, the lands designated 'A.558' on Schedule 'A' hereto, the following regulations shall apply:

- (x) Minimum Lot Area of 460 square metres for a Two-Family Dwelling.
- (xi) A minimum of 30% of the lot area shall be provided as landscaped open space. Landscaped open space is defined as the area of a lot used or intended to be used for the growth and maintenance of grass, flowers, trees, shrubbery, natural vegetation and indigenous species and other landscaping and included any buffer strip, surfaced walk, surface patio, swimming pool or similar area, but shall not include any access driveway, ramp, parking area or loading spaces or any open space beneath, above or within any building or structure. Gravel is not an acceptable surface material for landscaped open space.
- (xii) Two clearly defined parking spaces shall be incorporated in the rear yard and shall occupy no more than 40 square metres of lot area.

(By-Law 8499; 2018-136)

559 355 King Street West

Notwithstanding the provisions of Section 5 and Section 19 hereof to the contrary, the lands designated 'E2.559' on Schedule 'A' hereto, the following regulations shall apply:

- i. Additional permitted uses:
 - a. Universities and colleges
 - b. Clinics
- ii. The minimum size of a parking space located in the E2.559 zone shall be 2.6 metres wide and 5.2 metres long.

(By-Law 8499; 2018-137)

560 9 & 15 Portsmouth Avenue, and 797 King Street West

Notwithstanding the provisions of Sections 4, 5 and 16 hereof to the contrary, the lands designated 'B3.560' on Schedule 'A' hereto, the following regulations shall apply:

- (a) For the purposes of zone interpretation, the lands within the B3.560 Zone shall be considered as one lot for zoning purposes.
- (b) Lot Lines:
For the purposes of zone interpretation, the King Street West and Portsmouth Avenue frontages shall be deemed to be the Front Lot Lines, the northern lot line opposite the King Street West frontage shall be deemed to be a Side Lot Line, and the eastern lot line opposite the Portsmouth Avenue frontage shall be deemed to be a Side Lot Line.
- (c) Additional Permitted Uses:
 - (i) Row dwellings
- (d) Maximum Lot Occupancy: 160%
- (e) Maximum Density: 115 dwelling units per net hectare.
- (f) Minimum Front Yard: 1.0 metres within 11.0 metres of the intersection of Portsmouth Avenue and King Street West, and beyond this point a minimum of 2.0 metre on King Street West and a minimum of 3.0 metres on Portsmouth Avenue.
- (g) Minimum Side Yard: 4.1 metres
- (h) Maximum Residential Building Height: 12.0 metres
- (i) Minimum Required Number of Parking Spaces: 0.9 spaces/unit
- (j) Off-Street Parking:
 - a. Parking spaces may be permitted to encroach 1.7 metres into the front yard.
 - b. The minimum required parking space length is 5.2 metres and the minimum required parking space width is 2.6 metres.
- (k) Off-Street Bicycle Parking:
 - a. Bicycle parking stalls shall have a minimum width of 0.3 metres.
- (l) Projections into Yards:

- a. Covered porches, canopies and stairs are permitted to encroach into the minimum required front yard.
 - b. Balconies are permitted to encroach up to 1.3 metres into the east interior side yard.
- (m) Parking area screening:
- a. The area between the parking spaces and the Portsmouth Avenue right of way shall be landscaped to screen the view of the parking area.

(By-Law 8499; 2018-154)

561 203-205 Colborne Street

Notwithstanding the provisions of this By-Law to the contrary, the lands designated 'B3.561' on Schedule 'A' hereto, the following regulations shall apply:

- (a) The use of a cellar as a portion of a dwelling unit and/or as a habitation unit is permitted.
- (b) Vehicular Parking:
 - (i) The minimum number of off-street vehicular parking spaces for 4 or 5 residential units shall be 3.
- (c) Bicycle Parking:
 - (i) Bicycle parking may be provided within the existing building;
 - (ii) The minimum bicycle parking space dimensions shall be 1.8 metres x 0.3 metres x 2.1 metres; and
 - (iii) Notwithstanding minimum yard provisions to the contrary, covered bicycle parking may be located in a side or rear yard provided it is a minimum of 1 metre from the side lot line and rear yard lot line, respectively.
- (d) Lot Occupancy: The existing lot occupancy of the property is permitted to continue. Any future redevelopment of the site or a portion thereof shall comply with the lot occupancy of the applicable parent zone.
- (e) A minimum 1.2 metre walkway shall be provided for the full depth of the property from the front lot line to the rear lot line.
- (f) Existing and future building projections that are greater than 1.2 metres in height are permitted to have a combined maximum multi-level area of 55 square metres within the interior side yards and rear yard of the property.

- (g) The portion of the building identified as “Building 1” existing on the date of the passage of this by-law and detailed on Schedule “B”, attached to and forming part of By-Law 2019-15, is deemed to be legal non-complying for the purposes of zoning.
- (h) The minimum interior side yard for existing and future projections attached to “Building 1” on Schedule “B”, attached to and forming part of By-Law 2019-15, shall be 0.5 metres on the west side of “Building 1” and 2 metres on the east side of “Building 1”.
- (i) The minimum interior side yard for existing and future projections attached to “Building 2” on Schedule “B”, attached to and forming part of By-Law 2019-15, shall be 3 metres on the east side of “Building 2”.
- (j) The existing interior side yard and aggregate side yard of “Building 2” existing on the date of the passage of this by-law and detailed on Schedule “B”, attached to and forming part of By-Law 2019-15, are deemed to comply. Any future re-development of the site with a new building or a proposed building addition outside of the footprint of “Building 1” shall comply with the setback provisions of the applicable parent zone.

(By-Law 8499; 2019-15)

562 480 and 482 Albert Street

Notwithstanding the provisions of Sections 5 and 6 hereof to the contrary, for the lands designated ‘A.562’, the following regulations shall apply:

- (x) For zoning interpretation purposes, the A.562 zone shall be considered as one lot.
- (y) Definitions:
 - (i) “Principal Residential Unit” means the main /core structure intended for human habitation, on a lot.
 - (ii) “Second Residential Unit” means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom and living space.
- (z) Additional Permitted Uses:
 - (i) For the dwelling municipally known as 480 Albert Street as of the date of passing of this Zoning By-law, a maximum of 1 Second

Residential Unit shall be a permitted use within the existing structure.

(aa) Prohibited Uses:

- (i) Garden Suite;
- (ii) Boarding House;
- (iii) Lodging House; and
- (iv) Rooming House.

(bb) Second Residential Unit Provisions:

- (i) The maximum permitted gross floor area of the second residential unit shall not exceed 40 per cent of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. For the purposes of this provision, calculations for gross floor area shall refer to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:
 - a) Floor area occupied by mechanical, service, and electrical equipment that serve the building;
 - b) An open porch or balcony;
 - c) Areas internal to the building that are intended for the storage of vehicles.
- (ii) Access:

The second residential unit shall have separate access from that of the principal residential unit. Access shall be provided at the front of the building, or at the side or rear of the building where a minimum 1.2 metre wide unobstructed walkway, that does not impede drainage, from the front of the lot to the access provided;
- (iii) Parking:
 - a) Second Residential Unit: 1 parking space.

(cc) Additional Provisions:

- (i) Projections into Yards:

- a) The minimum distance from the front lot line for projections, above, at, and below finished grade, shall be 0.0 metres.
- (ii) Lot Area:
 - a) The minimum lot area shall be 820.6 square metres.
- (iii) Maximum Permitted Building Depth:
 - a) For the dwelling municipally known as 480 Albert Street as of the date of passing of this Zoning By-law, 16.0 metres from the front lot line;
 - b) For the dwelling municipally known as 482 Albert Street as of the date of passing of this Zoning By-law, 19.0 metres from the front lot line;
- (iv) Minimum Front Yard Setback:
 - a) For the dwelling municipally known as 482 Albert Street as of the date of passing of this Zoning By-law, 0.0 metres;
- (v) Accessory Building, Minimum Side Yard Setback:
 - a) The minimum side yard setback for an accessory building shall be 0.3 metres.”
- (vi) Parking Area:
 - a) Maximum Size of a Parking Area: up to 48.6 square metres of the rear yard may be used as uncovered parking area.

(By-Law 8499; 2019-35)

565. 189 Montreal Street

Notwithstanding the provisions of Section 5 and Section 13 hereof to the contrary, on the lands designated 'B.565' on Schedule "A" hereto, the following regulations shall apply:

- (i) Permitted Uses: The permitted uses in the 'B.565' zone are limited to:
 - a) a two family dwelling; and
 - b) a three family dwelling.subject to and in accordance with the provisions set out in Section 13 together with this Section 565.
- (ii) Required Yards:

- i. Minimum Front Yard: 1.0 metre
 - ii. Minimum Side Yard: The minimum aggregate side yard shall be 2.0 metres, with no side yard being less than 1.0 metre in width.
- (iii) Projections into Yards: Unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered, may project into the front yard with no minimum setback from the front lot line.
- (iv) Maximum Density: 71 dwelling units per net hectare
- (v) Off-Street Parking:
- i. The minimum size of standard parking space shall be 2.6 metres wide by 5.2 metres long.
 - ii. The minimum size of a Type A barrier free parking space shall be 3.4 metres wide by 5.2 metres long.
 - iii. The minimum size of a required access aisle adjacent to a barrier free parking space shall be 1.5 metres wide by 5.2 metres long.
- (vi) Access: Where four or more parking spaces are required, the parking area shall be accessed by at least one lane for the combined purposes of ingress and egress, having a minimum width of 3.0 metres.

(By-Law 8499; 2019-159)

566. 60 Collingwood Street

Notwithstanding the provisions of Section 5 and Section 6 hereof to the contrary, on the lands designated 'A.566' on Schedule "A" hereto, the following regulations shall apply:

- i. Additional Permitted Use: Three-unit Dwelling
- ii. Minimum lot area: 125 square metres per dwelling unit
- iii. Minimum Side Yard: The minimum aggregate side yard shall be 2.8 metres, with no side yard being less than 0.6 metre in width.
- iv. Off-Street Parking:
 - (a) 1 parking space per dwelling unit shall be required.

- (b) The minimum size of a standard parking space shall be 2.6 metres wide by 5.2 metres long.
- (c) Up to 45 square metres of the rear yard may be used as uncovered parking area.
- v. The minimum width of a driveway shall be 2.2 metres.
- vi. Amenity Area:
 - (i) A three-unit dwelling shall comply with the amenity area requirements of Section 5.27 of this by-law.
 - (ii) Amenity areas, if provided as communal space, must be aggregated into one area or grouped into areas of not less than 47.5 square metres.

(By-Law 8499; 2020-10)

567. (190, 200, 210 and 220 Wilson Street; 16, 33, 40, 41, 51, 61, 70, 71, 81, 94, 100, 106, 110 and 140 Compton Street; and 183, 199, 215 and 227 Weller Avenue)

Notwithstanding the provisions of Section 5 and Section 14 hereof to the contrary, on the lands designated 'B1.567' on Schedule 'A' hereto, the following regulations shall apply:

- i. Additional Permitted Uses: The following non-residential uses shall be permitted in the ground floor of a multiple family dwelling:
 - a. Retail stores
 - b. Neighbourhood stores
 - c. Offices
 - d. Banks or financial institutions
 - e. Libraries, art galleries or museums
 - f. Day care centres
 - g. Community centres

- ii. Minimum Front Yard: 7.0 metres, subject to the following provisions:
 - a. A minimum front yard of 4.0 metres is permitted from a lot line abutting a public street other than Compton Street, Wilson Street or Weller Avenue.
 - b. For a multiple family dwelling, a minimum front yard of 2.4 metres is permitted from a lot line abutting a public street other than Compton Street, Wilson Street and Weller Avenue.
 - c. For a multiple family dwelling, a minimum front yard of 4.0 metres is permitted from a lot line abutting Compton Street.
 - d. Any lot line abutting a public street shall be considered a front lot line.
- iii. Minimum Side Yard: 3.0 metres
- iv. Any lot line not abutting a public street shall be considered a side lot line.
- v. Maximum Density: 65 dwelling units per net hectare
- vi. Minimum Parking Ratio: 0.7 parking spaces per dwelling unit
- vii. Parking shall be permitted off-site on a lot that is not more than 400 metres from the lot upon which the main building(s) is situated.
- viii. Parking Space Dimensions:
 - a. The minimum size of a standard parking space shall be 2.6 metres wide and 5.2 metres long.
 - b. The minimum length of Type A and Type B accessible spaces shall be 5.2 metres.
- ix. Bicycle Parking Space Dimensions:
 - a. The minimum size of a bicycle parking space shall be 0.3 metres wide and 1.8 metres long.
- x. Notwithstanding the provisions of Section 5.4, loading spaces are not required.
- xi. Amenity Area:
 - a. Section 5.27(b) of this By-Law does not apply to any amenity area.

(By-Law 8499; 2021-145)

568. (33, 41, 51, 61, 71 and 81 Compton Street)

Notwithstanding the provisions of Section 5 and Section 14 hereof to the contrary, on the lands designated 'B1.568' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Minimum Rear Yard: 4.0 metres
- (b) Line of Corner Lots: Buildings on corner lots shall have a minimum side yard of 4 metres abutting a street
- (c) Any lot line not abutting a public street shall be considered a side lot line.
- (d) Maximum Density: 60 dwelling units per net hectare
- (e) Maximum Height: 4 storeys
- (f) Minimum Parking Ratio: 0.7 parking spaces per dwelling unit
- (g) Parking Area Location:

Notwithstanding the provisions of Section 5.3B(d):

- i. There are no restrictions on the location of on-site parking areas
 - ii. Front yard parking is permitted with a minimum setback of 6.2 metres from the front lot line
 - iii. Where front yard parking is provided, a landscaped buffer is required within the required setback
 - iv. No setback or landscaped buffer is required where front yard parking is provided in a tandem arrangement which includes a garage.
- (h) Parking Space Dimensions:
 - i. The minimum size of a standard parking space shall be 2.6 metres wide and 5.2 metres long.
 - ii. The minimum length of Type A and Type B accessible spaces shall be 5.2 metres.
 - (i) Bicycle Parking Space Dimensions:
 - i. The minimum size of a bicycle parking space shall be 0.3 metres wide and 1.8 metres long.

(By-Law 8499; 2021-145)

569. 16 Grange Street

Notwithstanding the provisions of Section 5 and Section 13 hereof to the contrary, on the lands designated 'B.569' on Schedule "A" hereto, the following regulations shall apply:

- (i) Minimum Front Yard: 2.5 metres
- (ii) Minimum Side Yards:
 - (i) 1.2 metres from the west property line
 - (ii) 4.2 metres from the east property line
 - (iii) 5.4 metres aggregate side yard
- (iii) Projections into Yards:
 - Unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered, are permitted not less than 1.6 metres from the front lot line.
- (iv) Maximum Density: 74 dwelling units per net hectare
- (v) Maximum Lot Coverage: 40%
- (vi) Minimum Parking Space Dimensions: 2.6 metres x 5.5 metres for standard parking spaces
- (vii) Minimum Width of Driveway: 3.0 metres
- (viii) Minimum Bicycle Parking Space Dimensions: 1.2 metres x 0.3 metres"

(By-Law 8499; 2020-12)

570 168 Division Street

Notwithstanding the provisions of Sections 5 and 20 hereof to the contrary, for the lands designated 'C.570' in Schedule "A" hereto, the following regulations shall apply:

- (a) Minimum Commercial Gross Floor Area
 - (i) The ground floor shall contain a minimum gross floor area of 200 square metres of commercial use.
- (b) Maximum Residential Density
 - (i) Maximum number of dwelling units: 35

- (ii) Maximum number of bedrooms: 100
 - (iii) Dwelling units shall only be permitted on floors 2 and above.
- (c) Ground Floor Height
 - (i) Minimum ground floor height floor to floor: 4.5 metres
 - (ii) Minimum height of building overhang on Garrett Street and Division Street: 4.1 metres, measured from the average finished grade of the sidewalk.
 - (iii) The height limits specified in subsection (c)(ii) shall not apply to prevent the erection of decorative elements approved under the Site Plan Control Agreement.
- (d) Building Height
 - (i) No part of the building shall exceed the height limits (in metres) as specified in Schedule “B”, attached to and forming part of By-Law Number 2019-108.
 - (ii) The height limits specified in subsection (d)(i) shall not apply to prevent the erection of decorative, functional, or mechanical elements approved under the Site Plan Control Agreement.
- (e) Required Yards/Setbacks
 - (i) The minimum main building wall setbacks shall be as specified in Schedule “B” with a 5% variance on noted dimensions, attached to and forming part of By-Law Number 2019-108.
 - (ii) Notwithstanding subsection (e)(i) above, the minimum grade level setbacks shall be as specified in Schedule “C” with a 5% variance on noted dimensions, attached to and forming part of By-Law Number 2019-108.
 - (iii) Notwithstanding subsections (e)(i) and (e)(ii) above, a balcony serving a dwelling unit may project not more than 2.5 metres out from the main building wall into a required yard, and there shall be no minimum setback from the property line for such balcony.
 - (iv) The setbacks identified in (e)(i) and (e)(ii) shall not apply to prevent the erection of decorative or architectural detailing (e.g. banding, solar shading, awnings) approved under the Site Plan Control Agreement.
- (f) Lot Coverage
 - (i) Maximum permitted lot coverage: 100%

- (g) Off-Street Parking
 - (i) A minimum parking ratio of 0.42 parking spaces per dwelling unit is required.
 - (ii) A minimum parking ratio of 1 parking space per 150 square metres of gross leasable area for any commercial use is required.
 - (iii) Parking spaces shall have minimum dimensions of 2.6 metres wide by 5.2 metres long.
 - (iv) Off-site parking for residential uses is permitted within 500 metres of 168 Division Street.
 - (v) On-site parking is permitted within a partially enclosed building.
- (h) Off-Street Accessible Parking
 - (i) A minimum of 2 accessible parking spaces is required.
 - (ii) Type A accessible parking spaces shall have minimum dimensions of 3.4 metres wide by 5.2 metres long.
 - (iii) Type B accessible parking spaces shall have minimum dimensions of 2.4 metres wide by 5.2 metres long.
 - (iv) An accessible aisle with minimum dimensions of 1.5 metres wide by 5.2 metres long, and marked with high tonal contrast diagonal lines, shall be provided adjacent to Type A and Type B accessible parking spaces. The access aisle may be shared between Type A and Type B accessible parking spaces.
 - (v) Accessible parking spaces shall have a minimum vertical clearance of 2.1 metres.
- (i) Off-Street Bicycle Parking
 - (i) A minimum of 1 bicycle parking space shall be provided per dwelling unit.
 - (ii) Bicycle parking may be provided in a stacked vertical arrangement. Bicycle parking stalls shall have a combined minimum height of 2.5 metres, a minimum length of 1.9 metres, and a minimum width of 0.45 metres.
 - (iii) Required bicycle parking spaces shall not be located in the residential units.

- (j) Amenity Space
 - (i) A minimum of 12.5 square metres of amenity space shall be provided per dwelling unit.

- (k) Loading space
 - (i) A minimum of one loading space shall be provided on-site.
 - (ii) The loading space shall have minimum dimensions of 3.5 metres wide by 10.5 metres long with a vertical clearance of 4.3 metres.

- (l) Community Benefits
 - (i) Any authorized increases in height and density set out in this Section 570 shall be contingent upon the execution and registration of any agreements (including, without limitation, any Section 37 Agreement) required by the City with respect to the provision of Community Benefits (as defined in the City of Kingston's "Section 37 of the Planning Act: Community Benefit Guidelines")."

(By-Law 8499; 2019-108)

571. 235 and 243 Colborne Street and 60, 62, and 64 Elm Street

Notwithstanding the provisions of Section 5 and Section 16 hereof to the contrary, on the lands designated 'B3.571' on Schedule "A" hereto, the following regulations shall apply:

- I. For the purposes of the 'B3.571' zone, the following definitions shall apply:
 - (a) "Bedroom" shall mean any room within a dwelling unit that is suitable to be used as a sleeping room under the *Ontario Building Code*, and which for greater clarity does not include:
 - a. Common areas open to all occupants of the unit;
 - b. Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); or
 - c. Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

 - (b) "Stacked Townhouse" shall mean a dwelling containing four or more principal dwelling units where the units in each pair are divided horizontally, and the pairs are divided vertically, and in which each dwelling unit has an independent entrance from the exterior.

- II. Additional Permitted Use: Stacked Townhouse

- III. Density:
- a. The maximum permitted density shall be 117 dwelling units per net hectare.
 - b. The maximum aggregate number of bedrooms shall be 72.
- IV. Minimum Yard Setbacks (235 and 243 Colborne Street):
- i. Minimum Front Yard: 2.1 metres
 - ii. Minimum Side Yard (East): 0.6 metres
 - iii. Minimum Side Yard (West): 1.5 metres
 - iv. Minimum Aggregate Side Yard: 2.1 metres
 - v. Minimum Rear Yard: 5.7 metres
- V. Minimum Yard Setbacks (60, 62 and 64 Elm Street):
- i. Minimum Front Yard: 2.5 metres
 - ii. Minimum Side Yard (West): 0.6 metres
 - iii. Minimum Aggregate Side Yard: 10.7 metres
- VI. Yard Projections:
- i. Stairs and porches are permitted to project into the front yard adjacent to Colborne Street, but shall be no closer than 1.0 metre to the front lot line.
 - ii. Stairs and porches are permitted to project into the front yard adjacent to Elm Street with no minimum setback from the front lot line.
- VII. Maximum Percentage of Lot Occupancy: 113%
- VIII. Accessory Buildings: The minimum setback for detached accessory buildings shall be 0.25 metres from side or rear lot lines.
- IX. Off-Street Parking:
- i. A minimum parking ratio of 0.83 parking spaces per dwelling unit is required.
 - ii. Parking spaces shall have minimum dimensions of 2.6 metres wide by 5.2 metres long.
- X. Off-Street Accessible Parking:
- i. Type A accessible parking spaces shall have minimum dimensions of 3.4 metres wide by 5.2 metres long.
 - ii. Type B accessible parking spaces shall have minimum dimensions of 2.7 metres wide by 5.2 metres long.

- iii. An access aisle with minimum dimensions of 1.5 metres wide by 5.2 metres long, and marked with high tonal contrast diagonal lines, shall be provided adjacent to Type A and Type B accessible parking spaces. The access aisle may be shared between Type A and Type B accessible parking spaces.
- XI. Bicycle Parking: Bicycle parking spaces shall have minimum dimensions of 1.8 metres long by 0.3 metres wide with a minimum overhead vertical clearance of 2.1 metres.
- XII. One Lot for Zoning Purposes: For the purpose of zoning, all lots within the 'B3.571' Zone shall be considered one lot.

(By-Law 8499; 2019-134)

575. 85 First Avenue

Notwithstanding the provisions of Section 5 and Section 11 hereof to the contrary, on the lands designated 'A5.575' on Schedule "A" hereto, the following regulations shall apply:

- (i) Additional Permitted Use: One dwelling unit within an accessory building, subject to the provisions of this Section 575.
- (ii) Maximum number of dwelling units per lot: 3, comprised of a two-family dwelling and one dwelling unit within an accessory building.
- (iii) Minimum Front Yard: 3.0 metres
- (iv) Minimum Yard Adjacent to First Avenue: 1.2 metres
- (v) Front Yard Projections: The stairs used to access the main entrance of a dwelling shall be set back a minimum of 1.5 metres from the front lot line.
- (vi) Minimum Lot Area: 120 square metres per dwelling unit
- (vii) Minimum Lot Width: 9.0 metres
- (viii) Driveway width:
 - (a) The minimum width of a driveway, including a single shared driveway serving two adjacent lots, shall be 3.0 metres.
 - (b) For the corner lot fronting on Nelson Street and First Avenue, the portion of the driveway located within the limits of the lot shall not exceed 9.24 metres.
- (ix) Accessory Building Maximum Height: 7.5 metres

- (x) Accessory Building Maximum Lot Coverage: 15%
- (xi) Accessory Building Minimum Rear Yard Setback: 0.8 metres
- (xii) Accessory Building Minimum Interior Side Yard Setback: 0 metres
- (xiii) The provisions of Section 5.22, Residential Units Fronting on a Street, shall not apply.

(By-Law 8499; 2020-2)

576. 85 First Avenue

Notwithstanding the provisions of Section 5 and Section 11 hereof to the contrary, on the lands designated 'A5.576' on Schedule "A" hereto, the following regulations shall apply:

- (a) Minimum Front Yard: 3.0 metres
- (b) Front Yard Projections: The stairs used to access the main entrance of a dwelling shall be set back a minimum of 1.5 metres from the front lot line.
- (c) Minimum Lot Area: 340 square metres per dwelling unit
- (d) Minimum Lot Width: 9.0 metres"

(By-Law 8499; 2020-2)

577. 189 King Street West

Notwithstanding the provisions of Sections 5 and 21 hereof to the contrary, on the lands designated 'C1.577' on Schedule "A" hereto, the following regulations shall apply:

- (a) Lot lines
For the purposes of zoning interpretation, the King Street West frontage shall be deemed to be the front lot line, the northern lot line opposite the King Street West frontage shall be deemed to be the rear lot line, the western lot line fronting Albert Street shall be deemed to be the exterior side lot line, and the opposite lot line adjacent 187 King Street West shall be deemed to be the interior side lot line.
- (b) Permitted Uses
 - (a) Commercial:
 - (i) Offices for or in connection with a business or profession
 - (ii) Professional medical clinic, or professional clinic of similar nature
 - (iii) Library, art gallery or museum
 - (iv) Day care centre
 - (b) Residential:
 - a) One-family dwelling
 - b) Two-family dwelling
 - c) Three-family dwelling
 - (c) Accessory buildings to any use permitted in the 'C1.577' Zone
- (c) Zone Provisions
 - a) Maximum Building Height: 10.7 metres
 - b) Minimum Front Yard: 15 metres
 - c) Minimum Interior Side Yard: 1.2 metres
 - d) Minimum Exterior Side Yard: 4.0 metres
 - e) Minimum Rear Yard: 12 metres
 - f) Minimum setback for accessory buildings: 0.0 metres from any interior side or rear lot line.
- (d) Bicycle Parking

The minimum bicycle parking space dimensions shall be 1.8 metres in length by 0.3 metres in width with a minimum overhead clearance of 2.1 metres.
- (e) Access and Parking
 - (i) The minimum number of parking spaces for commercial uses shall be 1 parking space per 30 square metres of gross leasable area.

- (ii) The minimum number of parking spaces for residential uses shall be 0.66 parking spaces per dwelling unit, rounded up to the nearest whole number.
- (iii) The minimum parking space dimensions shall be 2.6 metres in width and 5.2 metres in length.
- (iv) Parking shall be permitted in the exterior side yard adjacent to Albert Street, provided that it is set back at least 1.0 metre from the exterior side lot line.
- (v) A driveway leading to residential parking facilities may be a maximum of 4 metres wide.

(By-Law 8499; 2020-56)

578. 15, 21 & 27 McDonald Avenue and 60 & 62 Baiden Street

Notwithstanding the provisions of Sections 4, 5 and 16 hereof to the contrary, on the lands designated 'B3.578' on Schedule "A" hereto, the following regulations shall apply:

- (a) Except as otherwise expressly stated in this Section 578, for the purposes of zoning interpretation, the lands zoned 'B3.578', as shown on Schedule "A" attached to and forming part of By-Law Number 2020-36, shall be considered as one lot.
- (b) **Maximum Building Height**
 - a) No part of any building shall exceed the height limits (in metres) as shown on Schedule "B" attached to and forming part of By-Law Number 2020-36.
 - b) The height limits identified in (i) shall not apply to prevent the erection of decorative, functional, or mechanical elements approved by the City in writing through the Site Plan Control process.
- (c) **Required Yards/Setbacks**
 - i. The minimum setbacks shall be as shown on Schedule "B" attached to and forming part of By-Law Number 2020-36, with a maximum variance of 5% on noted dimensions.
 - ii. The setbacks identified in (i) shall not apply to prevent the erection of decorative or architectural detailing (e.g. banding, solar shading, awnings) approved by the City in writing through the Site Plan Control process.
- (d) **Maximum Number of Dwelling Units per Building**

- i. 15 McDonald Avenue: 4
 - ii. 21 & 27 McDonald Avenue: 6
 - iii. 60 & 62 Baiden Street: 6
- (e) Off-Street Parking
- i. A minimum of 1 parking space per dwelling unit is required.
 - ii. The minimum size of a standard parking space shall be 2.7 metres wide by 5.2 metres long.
 - iii. The minimum size of a Type A barrier free parking space shall be 3.4 metres wide by 5.2 metres long.
 - iv. The minimum size of a Type B barrier free parking space shall be 2.7 metres wide by 5.2 metres long.
 - v. The minimum size of a required access aisle adjacent to a barrier free parking space shall be 1.5 metres wide by 5.2 metres long.
- (f) Vehicle Parking Location
- i. 15 McDonald Avenue: A barrier free parking space shall be permitted no closer than 0.8 metres to the McDonald Avenue street line. All other parking spaces shall be located no closer than 10 metres to the McDonald Avenue street line.
 - ii. 21 & 27 McDonald Avenue: Vehicular parking shall be located no closer than 11 metres to the McDonald Avenue street line, and shall be located no closer than 9 metres to the Baiden Street street line.
 - iii. 60 & 62 Baiden Street: Vehicular parking shall be located no closer than 14 metres to the Baiden Street street line.
- (g) Bicycle Parking
- i. The minimum width of a required bicycle parking space shall be 0.3 metres.
 - ii. Vertical bicycle parking stalls shall have minimum dimensions of 0.3 metres wide, 1.8 metres tall, and 1.0 metre deep.

(By-Law 8499; 2020-36)

579. 11 Wright Crescent

Notwithstanding the provisions of Sections 4, 5 and 14 hereof to the contrary, on the lands designated 'B1.579' on Schedule "A" hereto, the following regulations shall apply:

- (a) Minimum Front Yard: 4.5 metres
- (b) Permitted Encroachment: There shall be no minimum front yard setback requirement for the underground parking ventilation system.
- (c) Maximum Density: 246 dwelling units per net hectare
- (d) Off-Street Parking:
 - 1. A minimum parking ratio of 1.1 parking spaces per dwelling unit is required.
 - 2. Not more than one parking space may be located closer to the lot line abutting Palace Road than the nearest wall of the main building.
- (e) Bicycle Parking: Minimum bicycle parking space dimensions shall be 1.0 metre by 0.4 metres with a minimum overhead clearance of 1.5 metres.
- (f) Amenity Area: A minimum of 14 square metres of amenity area shall be provided per dwelling unit.
- (g) Maximum Building Height: 6 storeys
- (h) Bachelor Dwelling Units: Within a multiple family dwelling, bachelor apartments shall not be more than 25% of the total number of dwelling units.
- (ix) Underground Parking Structure: Underground parking structure shall be permitted in all required yards.
- (x) Landscaped Open Space: Landscaped open space may be located above an underground structure.

(By-Law Number 8499; 2020-42)

580. 27 Wright Crescent

Notwithstanding the provisions of Sections 5 and 14 hereof to the contrary, on the lands designated 'B1.580' on Schedule "A" hereto, the following regulations shall apply:

- (i) Minimum Front Yard: 5.0 metres
- (ii) Minimum East Side Yard: 3.0 metres
- (iii) Maximum Density: 140 dwelling units per net hectare
- (iv) Off-Street Parking: A minimum parking ratio of 0.65 spaces per dwelling unit is required.
- (v) Amenity Area: Amenity areas, if provided as communal space, must be aggregated into areas of not less than 40 square metres."

(By-Law Number 8499; 2020-42)

581. 49 Beverley Street

Notwithstanding the provisions of Sections 5 and 6 hereof to the contrary, on the lands designated 'A.581' on Schedule "A" hereto, the following regulations shall apply:

- (i) Additional Permitted Use: Multiple Family Dwelling containing a maximum of three dwelling units
- (ii) Maximum Number of Dwelling Units: 3
- (iii) Minimum Lot Area: 180 square metres per dwelling unit
- (iv) Maximum Permitted Building Depth: 19.5 metres
- (v) Maximum Size of a Parking Area: Up to 49 square metres of the rear yard may be used as uncovered parking area.
- (vi) Off-Street Parking: The minimum size of a standard parking space shall be 2.6 metres wide by 5.2 metres long.
- (vii) Off-Street Parking: 1 parking space per dwelling unit
- (viii) Maximum Aggregate Length of all Dormers: 7 metres.

(By-Law Number 8499; 2020-58)

582. 42 Beverley Street

Notwithstanding the provisions of Sections 5 and 6 hereof to the contrary, on the lands designated 'A.582' on Schedule "A" hereto, the following regulations shall apply:

- (i) Additional Permitted Use: Multiple family dwelling containing a maximum of three dwelling units
- (ii) Maximum Number of Dwelling Units: 3
- (iii) Projections into Yards: A covered or uncovered unenclosed porch, deck, balcony or veranda may project into the required front yard, but shall be no closer than 2.4 metres to the front line.
- (iv) Minimum Lot Area: 185 square metres per dwelling unit
- (v) Maximum Permitted Building Depth: 18.6 metres
- (vi) Minimum Front Yard Setback: 3.6 metres
- (vii) Maximum Size of a Parking Area: Up to 41 square metres of the rear yard may be used as uncovered parking area
- (viii) Off-Street Parking: The minimum size of a standard parking space shall be 2.6 metres wide by 5.2 metres long
- (ix) Off-Street Parking: 1 parking space per dwelling unit
- (x) Maximum Aggregate Length of all Dormers: 6.2 metres.

(By-Law Number 8499; 2020-57)

583. 1020 Portsmouth Avenue

Notwithstanding the provisions of Sections 5, 13 and 38 hereof to the contrary, on the lands designated 'B.583' on Schedule "A" hereto, the following regulations shall apply:

- i. Maximum Number of Dwelling Units: 3
- ii. Minimum Side Yard: 2.41 metres

iii. Minimum Aggregate Side Yard: 6.48 metres

iv. Off-Street Parking: One parking space in a driveway may be located within the required front yard shall be permitted.”

v. Flood Plain Setback:

1. No building or structure shall be erected within 6.0 metres of an ‘EPA’ zone.

(By-Law Number 8499; 2020-41)

586. 67-69 Chatham Street

Notwithstanding the provisions of Sections 5, and 16 hereof to the contrary, on the lands designated 'B3.586' on Schedule "A" hereto, the following regulations shall apply:

- i. Additional Permitted Uses: Row dwelling containing three dwelling units
- ii. Lot Line Interpretation: for the purpose of zone interpretation, the lot line along the Chatham Street frontage shall be deemed to be the Front Lot Line, the eastern lot line opposite the Chatham Street frontage shall be deemed to be the Rear Lot Line, the lot line along the Elm Street frontage shall be deemed to be the Exterior Side Lot Line; and the southern lot line opposite the Elm Street frontage shall be deemed to be the Interior Side Lot Line.
- iii. Maximum Height of the Principal Dwelling: 10.7 metres
- iv. Minimum Front Yard: 3.0 metres
- v. Minimum Rear Yard: 6.3 metres
- vi. Line of Corner Lots –
 - f) Minimum yard abutting Elm Street: 0.7 metres
 - g) Minimum yard abutting Chatham Street: 3.0 metres
- vii. Minimum Side Yard: 0.7 metres
- viii. Minimum Aggregate Side Yard: 1.9 metres
- ix. Maximum Lot Occupancy: 136%

- x. Minimum Number of Required Parking Spaces: 0.67 parking spaces per dwelling unit
- xi. Minimum standard parking space dimensions: 2.6 metres wide by 5.2 metres long
- xii. Minimum driveway width: 2.6 metres
- xiii. Definition of Dwelling, Multiple Family: a building having independent exterior walls and containing three or more dwelling units, and shall include a "Dwelling, Row" as defined in this by-law
- xiv. Minimum Bicycle Parking Space Dimensions: 0.6 metres by 0.2 metres, and 2.2 metres overhead clearance.
- xv. There shall be no minimum rear yard or interior yard setback requirement for accessory structures for the use of bicycle storage.

(By-Law 8499; 2020-159)

587. 305 Rideau Street

Notwithstanding the Provisions of Sections 5 and 21 hereof to the contrary on the lands designated 'C1.587' on Schedule "A" hereto, the following regulations shall apply:

- (a) Permitted uses shall be limited to the following:
 - (i) Recreational Use
 - (ii) Artisans workshop
 - (iii) Community Centre
 - (iv) Community Hall
 - (v) Creativity Centre
 - (vi) Education Centre
 - (vii) Restaurant
 - (viii) Offices for or in connection with a business or profession
 - (ix) Neighbourhood stores
 - (x) Retail stores
 - (xi) Banks or financial institutions

- (b) Minimum Rear Yard
 - (i) As existing on the date of passing of By-Law Number 2020-78.
- (c) Off-Street Parking
 - (i) A minimum of 9 standard parking spaces shall be provided, of which up to 2 may be used for car share parking. 'Car share' means the practice where a number of people share the use of one or more motor vehicles that are owned by a car sharing company or organization, such car share vehicles to be made available for short term rental, including hourly rental.
 - (ii) Standard parking spaces shall have minimum dimensions of 2.6 metres wide by 5.2 metres long.
- (d) Off-Street Accessible Parking
 - (i) Type A accessible parking spaces shall have minimum dimensions of 3.4 metres wide by 5.2 metres long.
 - (ii) Type B accessible parking spaces shall have minimum dimensions of 2.4 metres wide by 5.2 metres long.
 - (iii) An accessible aisle with minimum dimensions of 1.5 metres wide by 5.2 metres long, and marked with high tonal contrast diagonal lines, shall be provided adjacent to Type A and Type B accessible parking spaces. The access aisle may be shared between Type A and Type B accessible parking spaces.
- (e) Loading Facilities
 - (i) A loading space shall have minimum dimensions of 3.5 metres wide by 7.0 metres long.
- (f) Bicycle Parking
 - (i) Minimum number of bicycle parking spaces: 15 spaces
 - (ii) A bicycle parking space shall have minimum dimensions of 0.3 metres wide by 1.8 metres long with a vertical clearance of 2.1 metres
 - iii) Accessory Structures
 - a. A waste enclosure may be located within 1.0 metre of the rear lot line and interior side lot line.

588. 323 Rideau Street

Notwithstanding the provisions of Sections 5 and 14 hereof to the contrary, on the lands designated 'B1.588' on Schedule "A" hereto, the following regulations shall apply:

- (g) Permitted Uses shall be limited to the following:
 - (i) Semi-Detached Dwellings
 - (ii) Row Dwellings
 - (iii) A Second Residential Unit
 - (iv) Home Occupations
- (h) The use of a cellar as a dwelling unit or as a habitation unit is permitted.
- (i) Row Dwellings
 - (i) Minimum Lot Area 175 square metres
 - (ii) Minimum Lot Width 6.0 metres
 - (iii) Minimum Front Yard 0 metres
 - (iv) Minimum Front Yard (Garage) 1.0 metre
 - (v) Minimum Side Yard
 - i. For interior units of a Row Dwelling, the minimum side yard shall be 0 metres.
 - ii. For the end unit of a Row Dwelling, the minimum side yard shall be 1.9 metres.
 - (vi) Minimum Rear Yard 7.0 metres
 - (vii) Maximum Height 12.5 metres
 - (viii) Maximum Density 55 du/ha
 - (ix) Minimum Floor Area 70 square metres

(x) Minimum Landscaped Open Space 30% of the total lot area

(xi) Projections into Yards:

- i. A covered or uncovered, unenclosed porch and steps of any height may project no closer than 0.7 metres into the required side yard.

(j) Semi-Detached Dwellings

(i) Minimum Lot Area 175 square metres

(ii) Minimum Lot Width 8 metres

(iii) Minimum Front Yard 0.0 metres

(iv) Minimum Front Yard (garage) 0.5 metres

(v) Minimum Side Yard

- a) The minimum side yard for a side that is not attached to another dwelling shall be 1.9 metres.
- b) The minimum side yard for a side that is attached to another dwelling shall be 0 metres.

(vi) Minimum Rear Yard 5.8 metres

(vii) Maximum Height 12.5 metres

(viii) Maximum Density 55 du/ha

(ix) Minimum Floor Area 70 square metres

(x) Projections into Yards:

- i. A covered or uncovered, unenclosed porch and steps of any height may project no closer than 0.9 metres into the required side yard.

- (k) Off-Street Parking
 - (i) The required minimum parking ratio shall be one parking space per residential unit.
- (l) Second Residential Units
 - 1. A parking space is not required for a second residential unit.
 - 2. One bicycle parking space is required for a second residential unit

(By-Law 8499; 2020-78)

589. 2 Couper Street

Notwithstanding the provisions of Section 5 and 6 hereof to the contrary, on the approximately 743 square metre parcel of land known municipally as 2 Couper Street and zoned 'A.589-H' on Schedule "A" hereto, the following regulations shall apply:

- a) Permitted Uses:
 - a) The permitted uses shall also include a multiple family dwelling containing three dwelling units and an accessory dwelling containing one dwelling unit.
- b) Definitions:
 - "Accessory Dwelling" means a subordinate, detached building located on the same lot as the main building, which is designed and/or used exclusively for residential occupancy.
- c) Minimum Lot Area: 185 square metres per dwelling unit
- d) Minimum Front Yard: 4.5 metres
- e) Minimum Side Yard: 2.1 metres (east) and 3.1 metres (west)
- f) Maximum Residential Building Height:
 - (i) The maximum permitted height of any exterior wall exclusive of end gable shall be 8.8 metres.

- g) Maximum Residential Building Depth: 20.1 metres
- h) Off-Street Residential Parking: 1 parking space per dwelling unit

- i) Parking Design Standards:
 - (i) The minimum size of a parking space shall be 2.6 metres wide and 6.0 metres long.

- j) Parking Area:
 - (i) up to 68.4 square metres of the rear yard may be used as an uncovered parking area.

- k) Projections into Front Yard:
 - (i) Unenclosed front porches and steps shall be permitted to project 2.7 metres out from the main building wall, but not closer than 1.8 metres to the front lot line.

- l) Accessory Dwelling Provisions
 - a. Maximum Building Height: 6.9 metres
 - b. Maximum Lot Coverage: 10% of the lot area
 - c. Location on Lot: An accessory dwelling shall be located:
 - i. Not less than 1.8 metres from the side yard;
 - ii. Not less than 7.5 metres from the rear yard; and
 - iii. No closer to the street than the front of the main building

- m) Residential Units Fronting on a Street:

The accessory dwelling may be located at the rear of the main building.

- n) 'H' Holding Zone Provision

The 'H' Holding provision applies to ensure that a basement/cellar is not used for residential occupancy until Utilities Kingston, or the authority having jurisdiction, determines that there is no longer a high risk of sewer surcharging. Until such time as the 'H' Holding provision is removed, a basement/cellar may only be used for the following uses:

 - (i) Mechanical;
 - (ii) Shared storage;
 - (iii) Shared laundry facilities; and
 - (iv) Shared indoor amenity space

(By-Law 8499; 2020-117)

590. 317 Montreal Street

Notwithstanding the provisions of Section 5 and 6 hereof to the contrary, on the approximately 499 square metre parcel of land known municipally as 317 Montreal Street and zoned 'A.590' on Schedule "A" hereto, the following regulations shall apply:

a) Permitted Use:

In addition to the uses permitted in Section 6.2, a multiple family dwelling containing three dwelling units shall be permitted on the lands.

b) Minimum Lot Area: 130 square metres per dwelling unit

c) Minimum Front Yard: 1.5 metres

d) Minimum Side Yard: 0 metres (north) and 0.6 metres (south)

e) Minimum Off-Street Residential Parking Ratio: 1 parking space per dwelling unit

f) Parking Design Standards: The minimum size of a standard parking space shall be 2.6 metres wide and 5.2 metres long

g) Parking Area: Up to 41 square metres of the rear yard may be used as an uncovered parking area

h) Driveway Width: The minimum width of a driveway shall be 2.3 metres

i) Maximum Residential Building Height:

(i) The maximum permitted height of any exterior wall, exclusive of an end gable, shall be 7.3 metres.

(ii) A flat roof shall be permitted, to a maximum height of 7.3 metres.

j) Projections into Front Yard: Unenclosed front porches and below-grade steps shall be permitted to project 1.5 metres out from the main building wall, with no minimum setback from the front lot line. Minimum interior side yard setback for an unenclosed front porch and below-grade steps shall be 0.5 metres (south) and 0 metres (north).

- k) Accessory Building Location: An accessory building may be located not less than 0.9 metres from the rear lot line and not less than 0.3 metres from the north side lot line.
- l) Aggregate Amenity Areas: Amenity areas may be aggregated into spaces of not less than 43 square metres.

(By-Law 8499; 2020-116)

591. 31 Hyperion Court

Notwithstanding the provisions of Section 31B hereof to the contrary, on the lands zoned 'M9.591' on Schedule 'A' hereto, the following regulations shall apply:

- a. Permitted uses shall also include:
 - a. Commercial school;
 - b. Education centre;
 - c. Education facility; and
 - d. Professional office.
- b. Permitted complementary uses, which shall not, in the aggregate, occupy an area greater than 25% of the total floor area of the building(s) on the lot, shall include:
 - a. Bake shop;
 - b. Coffee shop;
 - c. Day care centre (– H);
 - d. Dental office;
 - e. Financial institution;
 - f. Hotel (– H);
 - g. Medical clinic;
 - h. Medical office;
 - i. Personal service shop;
 - j. Recreational facility;
 - k. Restaurant;
 - l. Retail store;
 - m. Sports training and treatment centre;
 - n. Veterinary clinic.

c. (-H) Holding Zone Provisions

In accordance with Section 5.39 of this By-law, the following (-H) Holding provisions are applicable:

- a. The (-H) Holding provision that applies to the specific uses of 'day care centre' and 'hotel' may not be removed until such time as:
 - i. A satisfactory noise impact study prepared by a qualified person (as defined by the City of Kingston) and which adheres to all applicable municipal and provincial requirements has been submitted and completed to the satisfaction of the City of Kingston; and
 - ii. a Record of Site Condition (RSC) signed by the qualified person who prepared it, along with a copy of all supporting studies, and which meets the requirements of Ontario Regulation 153/04 (as amended), is provided and completed to the satisfaction of the City of Kingston, as applicable.
- b. The (-H) Holding provision that applies to the eastern undisturbed portion of the site applies to all uses and may not be removed until such time as an archaeological assessment has been submitted and approved by the City of Kingston and the Ministry of Heritage, Sport, Tourism and Culture Industries.

d. Definitions:

- i. "Bake Shop" means a commercial establishment with fifteen (15) or less seats where bakery products are sold or offered for sale to the general public;
- b. "Coffee Shop" means a commercial establishment with fifteen (15) or less seats that primarily serves beverages that are non-alcoholic to the general public, and may include ancillary retailing or prepared light snack foods such as pastries, muffins, desserts, fruit, yogurt, confectionery items and baked goods;
- c. "Personal Service Shop" means the use of any lot, building or structure, or part thereof, for the provision of services involving the care of persons or their apparel, including, but not limited to: barber, hairdresser, beautician, aesthetician, tailor, dressmaker, shoemaker, tanning salon, dry cleaning and laundry store or similar service establishments as licensed by the City. "Personal service shop" shall not include an adult entertainment establishment or adult entertainment store, as defined herein. The sale of merchandise shall be permitted only as an accessory use to the principal service provided;

- d. "Sports Training and Treatment Centre" means the use of any lot, building or structure, or part thereof, for physical rehabilitation, injury prevention, health and fitness or other related services."

(By-Law 8499; 2020-133)

594. B1.594 (9 North Street)

Notwithstanding the provisions of Section 5 and 14 hereof to the contrary, on the lands designated '81.594' on Schedule "A" hereto, the following regulations shall apply:

- i. Front Yard Setback (minimum): 4 metres
- ii. Side Yard Setback (minimum): 1.5 metres
- iii. Rear Yard Setback (minimum): 8 metres
- iv. Maximum Density: 69 dwelling units per net hectare
- v. Minimum Lot Width: 18 metres
- vi. Minimum Landscaped Open Space: 30% of the total lot area
- vii. Minimum Floor Area (per dwelling unit):
 - a. 1 bedroom unit: 42 square metres
 - b. 2 bedroom unit: 56 square metres
- viii. Number of Parking Spaces:
 - i) A minimum of 10 on-site parking spaces will be provided
- ix. Unenclosed decks, porches, patios, and stairs can project into the eastern interior side yard but cannot be built closer than 0.2 metres to the lot line.
- x. Maximum Driveway Width: 10.7 metres
- xi. Amenity Area: Section 5.27(b) of this By-Law does not apply to the required amenity area.

(By-Law 8499; 2020-166)

595. 71 and 73 Adelaide Street

Notwithstanding the provisions of Sections 5, and 6 hereof to the contrary, on the lands designated 'A.595' on Schedule "A" hereto, the following regulations shall apply:

- i. Additional Permitted Use: Semi-Detached Dwelling
- ii. Minimum Lot Area: 160 square meters per dwelling unit
- iii. Minimum Front Yard: 2.0 metres
- iv. Minimum Rear Yard: 6.0 metres
- v. Maximum Percentage of Lot Coverage: 39%
- vi. Maximum Residential Building Height: 11.6 metres
- vii. Maximum Floor Space Index: 1.1
- viii. Up to 54.1 square metres of the rear or interior side yard may be used as uncovered surface parking spaces for residential use.
- ix. Parking Design Standards: minimum 5.2 metres long by 2.6 metres wide
- x. Unenclosed porches, decks, balconies, steps and verandahs, covered or uncovered, are permitted, provided that if they exceed 1.2 metres in height, the following provisions shall apply:
 - 1.1. Minimum setback from Front Lot Line: 0.2 metres
 - 1.2. Minimum setback from Rear Lot Line: 4.4 metres

(By-Law 8499; 2020-160)

596. 425 and 427 Division Street

Notwithstanding the provisions of Sections 5, and 6 hereof to the contrary, on the lands designated 'A.596' on Schedule "A" hereto, the following regulations shall apply:

1. Additional Permitted Use: Semi-Detached Dwelling
2. Minimum Lot Area: 175 square metres per dwelling unit
3. Minimum Front Yard: 1.3 metres, Adelaide Street
2.6 metres, Division Street

4. Maximum Percentage of Lot Coverage: 44%
5. Maximum Residential Building Height: 11.6 metres
6. Maximum Floor Space Index: 1.3
7. Minimum Number of Required Parking Spaces: 0.75 spaces per dwelling unit
8. Up to 41 square metres of the rear or interior side yard may be used as uncovered surface parking spaces for residential use.
9. Parking Design Standards: minimum 5.2 metres long by 2.6 metres wide
10. Unenclosed porches, decks, balconies, steps and verandahs, covered or uncovered, are permitted, provided that if they exceed 1.2 metres in height, the following provision shall apply:
 - a) Minimum setback from Front Lot Line 0.7 metres

(By-Law 8499; 2020-160)

597 1024 Portsmouth Avenue

Notwithstanding the provisions of Sections 5 and 13 hereof to the contrary, on the lands designated 'B.597' on Schedule 'A' hereto, the following regulations shall apply:

- i) Permitted Uses: The only permitted uses are as follows:
 1. One-Family Dwelling
 2. Two-Family Dwelling
 3. Three-Family Dwelling
- ii) Maximum Number of Dwelling Units: 3
- iii) Minimum Side Yard: 2.5 metres
- iv) Minimum Aggregate Side Yard: 7.1 metres
- v) Off-Street Parking: One parking space may be located in the driveway in the front yard.
- vi) Location of Parking: One parking space may be located to the front of the midway point between the rear and front wall of the main building.

vii) Tandem Parking Space: Tandem parking is permitted in the driveway.

viii) Flood Plain Setback:

1. No building or structure shall be erected within 6.0 metres of an 'EPA' Zone, except for one accessory structure of no more than 10 square metres.
2. A maximum of one parking space is permitted within a 6.0 metre setback of an 'EPA' Zone.
3. Bicycle parking may be located within an existing rear yard accessory building within the 'EPA' Zone.

(By-Law Number 8499; 2020-174)

598 27 Gardiner Street

Notwithstanding the provisions of Section 11 hereof to the contrary, on the approximately 809 square metre parcel of land known municipally as 27 Gardiner Street and zoned 'A5.598' on Schedule "A" hereto, the following regulations shall apply:

a) Permitted Uses:

The permitted uses shall also include a multiple family dwelling containing three dwelling units.

b) Minimum Front Yard: 7.45 metres

c) Minimum Lot Area: 267 square metres per dwelling unit

d) Minimum Lot Width: 12.0 metres

e) Off-Street Residential Parking: A minimum of 1 parking space per dwelling unit shall be provided.

f) Front Yard Parking: A maximum of 3 vehicle parking spaces shall be permitted in the required front yard.

g) Maximum Driveway Width: 9.3 metres

h) Projection into Side Yard: Unenclosed porches and steps shall be permitted to project 1.2 metres out from the main building wall, but not closer than 0.95 metres to the side lot line.

(By-Law Number 8499; 2021-16)

599 771 Division Street & 795-799 Division Street

Notwithstanding the provisions of Section 30 hereof to the contrary, on the lands designated 'M7.599' on Schedule "A" hereto, the following regulations shall apply:

- (a) Minimum Front Yard: 12.0 metres
- (b) Minimum Rear Yard: 7.5 metres, provided that the minimum rear yard setback for the building existing on the date of passing of By-Law Number 2021-18 shall be 3.8 metres.
- (c) Minimum Side Yard: 7.5 metres, provided that there shall be no minimum side yard requirement for the building existing on the date of passing of By-Law Number 2021-18.

(By-Law Number 8499; 2021-18)

600. 192 Union Street

Notwithstanding the provisions of Sections 5 and 13 hereof to the contrary, on the lands designated 'B.600' on Schedule "A" hereto, the following regulations shall apply:

- (i) Minimum Side Yard: 1.2 metres
- (ii) Minimum Aggregate Side Yard: 2.5 metres
- (iii) Maximum Density: 105 dwelling units per net hectare
- (iv) Off-Street Residential Parking: A minimum parking ratio of 0.75 parking spaces per dwelling unit is required.
- (v) Required Accessible Parking Space: A minimum of one Type B accessible parking space is required.
- (vi) Parking Design Standards: The minimum size of a standard parking space shall be 2.4 metres wide by 6.0 metres long.
- (vii) Minimum setback from front lot line for projections more than 0.6 metres in height above finished grade level:
 - a. Juliette Balconies: 5:9 metres
- (viii) Minimum setback from interior side lot line for projections:
 - i) Front Steps: 1.3 metres

- ii) Front Porch: 1.3 metres
 - iii) Juliette Balconies: 1.2 metres
 - iv) Rear Decks: 1.3 metres
- (ix) Maximum Number of Bedrooms: 12

(By-Law 8499; 2021-26)

601. 180 & 182 Bagot Street

Notwithstanding the provisions of Sections 4, 5 and 13 hereof to the contrary, on the approximately 220 square metre parcel of land known municipally as 180 & 182 Bagot Street and designated 'B.601' on Schedule 'A' hereto, the following regulations shall apply:

- a) Permitted Use:

The only permitted use shall be a multiple family dwelling containing three dwelling units.
- b) Maximum Number of Bedrooms: 11
- c) Maximum Building Height: 13.3 metres
- d) Minimum Front Yard: 0.3 metres from the west lot line and 0.0 metres from the south lot line.
- e) Minimum Side Yard: 0.0 metres from the west lot line and 0.6 metres from the north lot line.
- f) Minimum Aggregate Side Yard: 0.6 metres
- g) Maximum Density: 137 dwelling units per net hectare
- h) Minimum Percentage of Landscaped Open Space: 5.5%
- i) Maximum Lot Coverage: 77%
- j) Amenity Area:
 - a. Amenity area shall include private amenity areas and balconies.
 - b. Each dwelling unit shall contain a minimum of 22.0 square metres of amenity area.
 - c. The basement and outdoor balcony space shall be maintained as private amenity area for each respective attached dwelling unit.

- k) **Parking Design Standards:** The minimum size of a parking space shall be 2.6 metres wide by 5.2 metres long.
- l) **Projection into Yards:** Unenclosed porches and stairs may project 0.0 metres from the east lot line, 0.6 metres from the north lot line, and 1.7 metres from the west lot line, but shall in no case exceed 1.2 metres in height above the finished grade.
- m) **Bicycle Parking Dimensions:** The minimum bicycle parking dimensions shall be 0.6 metres wide by 1.8 metres long with a minimum overhead clearance of 1.6 metres.
- n) **Accessory Buildings:**
 - a) An accessory building used for the purpose of bicycle storage may be located 0.6 metres from the north lot line.
 - b) An accessory building used for the purpose of bicycle storage may be located within 1.2 metres from any window of the main building to which it is accessory.

(By-Law 8499; 2021-47)

602 872 Johnson Street

Notwithstanding the provisions of Sections 5 and 11 hereof to the contrary, on the lands designated 'A5.602' on Schedule "A" hereto, the following regulations shall apply:

- a) **Additional Permitted Use:** Three-Unit Dwelling
- b) **Minimum Front Yard:** 6.1 metres
- c) **Minimum Lot Area:** 490 square metres for a Three-Unit Dwelling
- d) **Maximum Number of Bedrooms in a Basement or Cellar:** 1
- e) **Minimum Number of Parking Spaces:** 2 parking spaces
- f) **Minimum Parking Space Dimensions:** 2.6 metres by 5.2 metres
- g) **Parking Location:** Two parking spaces shall be permitted in the front yard in a permitted driveway.

(By-Law Number 8499; 2021-39)

603 58-60 Yonge Street

Notwithstanding the provisions of Sections 5 and 11 hereof to the contrary, on the lands designated 'A5.603' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Additional Permitted Use: Multiple Family Dwelling (maximum 3 units)
- (b) Minimum Lot Area: Multiple Family Dwelling – 269 square metres for each unit
- (c) Maximum Number of Bedrooms: 7 bedrooms

(By-Law 8499; 2021-93)

604. 9 Couper Street

Notwithstanding the provisions of Section 5 and 6 hereof to the contrary, on the lands known municipally as 9 Couper Street and zoned 'A.604' on Schedule "A" hereto, the following regulations shall apply:

a. Additional Permitted Use:

In addition to the uses permitted in Section 6.2, the permitted uses shall also include a multiple family dwelling containing three residential dwelling units.

- b. Minimum Lot Area: 269 square metres per dwelling unit
- c. Maximum Permitted Residential Building Depth: 21.0 metres
- d. Minimum Off-Street Residential Parking: 1 parking space per dwelling unit
- e. Parking Area:

Up to 50 square metres of the rear yard may be used as an uncovered parking area.
- f. Minimum Driveway Width: 2.3 metres
- g. Projections into Front Yard:

Unenclosed porches, decks, balconies, steps, and/or verandas, covered or uncovered, shall be permitted to project 4.0 metres out from the main building wall, but not closer than 2.0 metres to the front lot line.
- h. Maximum Number of Bedrooms:

A maximum of 14 bedrooms is permitted, in the aggregate.

(By-Law 8499; (2022-54; OLT Approval April 8, 2022; File Number OLT-21-001197))

605. 585 Union Street

Notwithstanding the provisions of Sections 5 and 11 hereof to the contrary, on the lands designated 'A5.605' on Schedule 'A' hereto, the following regulations shall apply:

- (i) Additional Permitted Use: Multiple Family Dwelling containing a maximum of 4 dwelling units
- (ii) Minimum Lot Area: 212 square metres per dwelling unit
- (iii) Maximum Aggregate Number of Bedrooms: 9 bedrooms
- (iv) Front Yard Setback (minimum): 4.5 metres
- (v) Side Yard Setback (minimum): 0.9 metres (east) and 2.8 metres (west)
- (vi) Minimum Parking Ratio: 1 parking space per dwelling unit
- (vii) Parking Location: Up to 71 square metres of the rear yard may be used as uncovered surface parking spaces for residential uses.
- (viii) Vehicular Entrance/Exit to the Site: Access to the required off-street parking spaces is permitted via a single combined entrance/exit lane.
- (ix) Minimum Aggregate Amenity Area: The required amenity area may be aggregated into areas smaller than 54 square metres but equal to or larger than 32.3 square metres."

(By-Law 8499; 2021-117)

606 1316-1318 Princess Street

Notwithstanding the provisions of Sections 5 and 16 hereof to the contrary, on the lands designated 'B3.606' on Schedule "A" hereto, the following regulations shall apply:

- a. Lands located within the B3.606 zone shall be treated as one lot for the purposes of zoning.
- b. Lot Lines:
 - a. Front: lot line abutting Princess Street
 - b. Rear: southern most lot line
 - c. Other lot lines: all lot lines, except the front lot line and rear lot line
- c. Front Yard (minimum): 6.0 metres
- d. Rear Yard (minimum): 10.0 metres
- e. Other Lot Lines Setback (minimum): 4.0 metres each
- f. Maximum Lot Occupancy: 130%
- g. Maximum Density: 145 dwelling units per net hectare
- h. Minimum Parking Ratio: A minimum of 0.5 parking spaces shall be provided per dwelling unit
- i. Parking Location: Parking may be located up to the front wall of the main building
- j. Parking Design Standards: The minimum size of a parking space shall be 2.6 metres wide and 6.0 metres long.

(By-Law Number 8499; 2021-116)

607. Part of 1338 Princess Street (as shown on Schedule "A" attached hereto)

Notwithstanding the provisions of Sections 5 and 16 hereof to the contrary, on the lands designated 'B3.607' on Schedule "A" hereto, the following regulations shall apply:

- (i) For the purposes of the B3.607, setbacks and other relevant zoning provisions are to be measured from and based on the zone boundary.
- (ii) Lot Lines:
 - a. Front: lot line abutting private driveway
 - b. Other lot lines: all lot lines, except front lot line
- (iii) Other Lot Lines Setback (minimum): 3.0 metres each
- (iv) Maximum Density: 130 dwelling units per net hectare

- (v) Minimum Parking Ratio: A minimum of 0.5 parking spaces shall be provided per dwelling unit
- (vi) Parking Location: Parking may be located in front of the front wall of the main building

(By-Law Number 8499; 2021-116)

608 484 Albert Street and 620 Princess Street

Notwithstanding the provisions of Section 5 and 23 hereof to the contrary, on the lands designated 'C4-608' on Schedule 'A' hereto, the following regulations shall apply:

1. Additional Permitted Uses: The Kingston Youth Services Hub, which shall consist of, but not be limited to: drop-in programs, including psychiatry counselling services and occasional medical services; a youth culture, banqueting and performing arts facility; transitional, emergency and supportive housing, which includes a continuum of housing options; a retail café, and a jobs skills centre.
2. Streetwall Height:
 - (a) Princess Street Frontage: The minimum streetwall height for all buildings and structures shall be 6.5 metres.
 - (b) Albert Street Frontage:
 - a. The minimum streetwall height for all buildings and structures shall be 6.0 metres.
 - b. The maximum streetwall height for all buildings and structures shall be 14.0 metres.
3. Angular Plane: Angular plane requirements shall not apply.
4. Building Height: No part of any building shall exceed the height limits in metres as shown on Schedule 'B', attached hereto and forming part of By-Law Number 2021-128, with a maximum 5% variance on noted heights permitted.
5. Rooftop Mechanical Equipment: Notwithstanding the provisions of Subsection (d) of this Section 608, mechanical equipment shall be permitted to exceed the maximum allowable building height by up to 4 metres, provided it does not cover more than 15% of the rooftop area in which it is located, in aggregate, and is not located closer than 2.5 metres to the edge of a roof.
6. Ground Floor Height:
 - (i) Princess Street Frontage: The ground floor storey of any building shall have a minimum floor to ceiling height of 2.9 metres.
 - (ii) Albert Street Frontage: The ground floor storey of any building shall have a minimum floor to ceiling height of 3.4 metres.

7. Yards:
 - a. The minimum setbacks shall be as shown on Schedule 'B' attached hereto and forming part of By-Law Number 2021-128, with a maximum 5% variance on noted dimensions permitted.
8. Building Frontage: Minimum building frontage percentage requirements shall not apply.
9. Projections into Yards: Banding, solar shading, canopies, barrier free ramps, stairs, and similar features shall be permitted to project into required yards, if approved under a Site Plan Control Agreement.
10. Loading: A minimum of 1 loading space shall be required.
11. Off-Street Vehicle Parking: No vehicular parking spaces shall be required for the Kingston Youth Services Hub use.
12. Bicycle Parking (minimum):
 - a. A minimum of 60 covered and secure bicycle parking spaces shall be required.
 - b. Wall mounted racking systems shall have minimum dimensions of 0.6 metres wide by 1.8 metres high.

(By-Law 8499; 2021-128)

609 484 Albert Street and 620 Princess Street

Notwithstanding the provisions of Sections 5 and 23 hereof to the contrary, on the lands designated 'C4-609' on Schedule 'A' hereto, the following regulations shall apply:

- a. Additional Permitted Uses: The Kingston Youth Services Hub, which shall consist of, but not be limited to: drop-in programs, including psychiatry counselling services and occasional medical services; a youth culture, banqueting and performing arts facility; transitional, emergency and supportive housing, which includes a continuum of housing options; a retail café, and a jobs skills centre.
- b. Maximum Height: No part of any building shall exceed the height limits in metres as shown on Schedule 'B', attached to and forming part of By-Law Number 2021-130, with a maximum 5% variance on noted heights permitted, subject to subsection (h) below.
- c. Streetwall Height
 - a. Princess Street Frontage: The minimum streetwall height for all buildings and structures shall be 6.5 metres.
 - b. Albert Street Frontage:
 - a. The minimum streetwall height for all buildings and structures shall be 6.0 metres

- b. The maximum streetwall height for all buildings and structures shall be 14.0 metres.
- d. Minimum building frontage requirements specified in this By-Law shall not apply.
- e. Setbacks and Stepbacks: Minimum setback and stepback requirements shall be as shown on Schedule 'B' attached hereto and forming part of By-Law Number 2021-130, with a maximum 5% variance on noted dimensions permitted.
- f. Projections into Required Setbacks: Banding, solar shading, canopies, barrier free ramps, stairs, and similar features shall be permitted to project into required setbacks, if approved under a Site Plan Control Agreement.
- g. Ground Floor Conditions:
 - a. Princess Street Frontage: The first storey of a building shall have a minimum floor to floor height of 3.3 metres.
 - b. Albert Street Frontage: The first storey of a building shall have a minimum floor to floor height of 4.1 metres.
- h. Rooftop Mechanical Equipment
 - i. Notwithstanding the provisions of Subsection (b) of this Section 608, rooftop mechanical equipment shall be permitted to exceed the maximum allowable building height by up to 4 metres, provided it does not cover more than 15% of the rooftop area on which it is located, in the aggregate, and is not located closer than 2.5 metres to the edge of a roof.
- i. Parking Spaces: No vehicular parking spaces shall be required for the Kingston Youth Services Hub use.
- j. Loading Space Requirements: A minimum of 1 loading space shall be required.
- k. Bicycle Parking Requirement (minimum):
 - i. A minimum of 60 covered and secure bicycle parking spaces shall be required.
 - ii. Wall mounted racking systems shall have minimum dimensions of 0.6 metres wide by 1.8 metres high.

(By-Law 8499; 2021-130)

615. 235 Frontenac Street

Notwithstanding the provisions of Section 17 hereof to the contrary, on the lands designated 'E.615-H' on Schedule 'A' hereto, the following regulations shall apply:

- (a) Any building or structure which existed at the date of the passing of By-Law Number 2021-191 that does not meet the provisions of this By-Law is considered a legal non-complying building or structure. Nothing in this By-Law applies to prevent a legal non-complying building or structure so long as it continues to exist, and nothing in this By-law applies to prevent the further development of this lot, provided the development:
 - (a) Does not further increase the extent or degree of non-compliance with the provisions of this By-Law; and
 - (b) Complies with all other applicable provisions of this By-law.
- (b) Nothing in this By-law applies to prevent the development of an accessory structure on the lot, provided the development:
 - i. Does not further increase the extent or degree of non-compliance with the provisions of this By-Law; and
 - ii. Complies with all other applicable provisions of this By-Law.
- (c) Purpose and Requirement for Removal of '-H' Holding Symbol:
 - i. The '-H' Holding Symbol shall apply to the introduction of any dwelling units or habitation units.
 - ii. A by-law shall not be enacted to remove the '-H' Holding Symbol until such time as:
 - a. The City is satisfied that there is adequate servicing capacity for the proposed development;
 - b. A site plan has been approved and a site plan agreement has been executed and registered on the title of the lands; and
 - c. City Council has given notice pursuant to the requirements of the *Planning Act* of its intention to pass a by-law to remove the '-H' Holding Symbol."

(By-Law Number 8499; 2021-191)

616. 303 and 305 Sutherland Drive

Notwithstanding the provisions of Section 5 and 11 hereof to the contrary, on the approximately 929 square metre parcel of land known municipally as 303 and 305 Sutherland Drive and zoned 'A5.616' on Schedule "A" hereto, the following regulations shall apply:

- a. Permitted Use and bedrooms:
 - a) In addition to the uses permitted in Section 11.2, the property may also be used for a semi-detached dwelling; and
 - b) a maximum of 7 bedrooms is permitted per lot
- b. Minimum Lot Area for a Semi-detached Dwelling: 232 square metres per dwelling unit
- c. Minimum Lot Width for a Semi-detached Dwelling: 7.6 metres per dwelling unit
- d. Minimum Interior Side Yard: 1.2 metres for a side that is not attached to another dwelling and 0 m for a side that is attached to another dwelling
- e. Minimum Aggregate Side Yard Width: 1.2 metres
- f. Parking Design Standards:

The minimum size of a parking space shall be 2.7 metres wide and 5.7 metres long

(By-Law Number 8499; 2021-192)

617. 596 MacDonnell Street

Notwithstanding the provisions of Sections 5 and 11 hereof to the contrary, on the lands designated 'A5.617' on Schedule 'A' hereto, the following regulations shall apply:

- (i) Only Permitted Residential Uses:
 - i. One family dwellings
 - ii. Two family dwellings
 - iii. Multiple family dwelling containing three units
- b) Minimum Front Yard Setback: 4.2 metres
- c) Minimum Side Yard Setback for existing building: 1.1 metres

- d) Minimum Lot Area: 417 square metres for a multiple family dwelling containing three units
- e) Minimum Lot Width: 10 metres
- f) Maximum Area of Uncovered Surface Parking in the Rear Yard: 41 square metres
- g) Minimum Driveway Access Width: 2.6 metres
- h) Minimum Parking Ratio: 1 parking space per dwelling unit
- i) Minimum Parking Space Dimensions: 2.6 metres wide by 5.2 metres long
- j) Maximum Building Depth: 14.7 metres
- k) Maximum Number of Bedrooms (in the Aggregate): 8
- l) For projections or balconies that are more than 1.2 metres in height above the finished grade, and are located on the west side of a dwelling, a privacy barrier of a minimum height of 1.5 metres shall be provided on the north side of each balcony or projection”

(By-Law Number 8499; 2022-20 order/signed agreement OLT File Number OLT-22-002394)

(618) 178 Rideau Street, 3 Raglan Road and 5 Raglan Road

Notwithstanding the provisions of Sections 5 and 6 hereof to the contrary, on the lands designated ‘B.618’ on Schedule ‘A’ hereto, the following regulations shall apply:

- m) Additional Permitted Uses:
 - a. Residential Uses
 - i. One-family Dwelling
 - ii. Six-family Dwelling
- n) Second Residential Units as described in Section 5.45 shall not be permitted.
- o) For the purposes of zoning interpretation, the properties located within the B.618 Zone will be considered one lot for the following attributes:
 - a) Landscaped open space;

- b) Amenity space;
 - c) Number of parking spaces;
 - d) Number of dwellings;
 - e) Number of units;
 - f) Number of bedrooms;
 - g) Density; and
 - h) Lot coverage
- p) For the purposes of zoning interpretation, the Raglan Road and Rideau Street frontages are considered front lot lines. All other lot lines are considered side lot lines.
- q) The One-family Dwelling use located at 5 Raglan Road shall be contained within the existing building on the property on the date of passing of this By-law.
- r) Maximum Number of Dwellings: 2
- s) Maximum Number of Bedrooms (in the aggregate): 15
- t) Minimum Yard Setbacks for Six-family Dwelling at 178 Rideau Street:
- a. Southern Front Yard: 1.4 metres
 - b. Eastern Front Yard: 0.5 metres
 - c. Northern Side Yard: 7.0 metres
 - d. Western Side Yard: 2.0 metres
 - e. Aggregate side yard widths shall not apply.
- u) Minimum Distance between Building Exterior Walls: 2.5 metres
- v) Minimum Parking Space Dimensions: 2.6 metres by 5.2 metres

- w) Minimum Number of Parking Spaces: 4 spaces
- x) Parking Location: Parking shall be permitted within the eastern front yard (Rideau Street frontage) immediately north of the proposed 6-unit building
- y) Minimum Accessible Parking Space Dimensions: 3.4 metres by 5.2 metres
- z) Minimum Accessible Aisle Dimensions: 1.5 metres by 5.2 metres
- aa) Minimum Amenity Area: 100 square metres
- bb) Communal amenity areas must have a minimum area of 13.5 square metres
- cc) Maximum Lot Coverage: 35%
- dd) Minimum Landscaped Open Space: 32%
- ee) Maximum Residential Density: 129 dwelling units per net hectare
- ff) Projections:
 - a. Stairs are required to be setback a minimum of 0.5 metres from the eastern front lot line.
 - b. Access wells may project a maximum of 1.4 metres into the southern front yard.
- gg) Bicycle Parking:
 - a. Notwithstanding Section 4.7A of this By-Law, a vertical bicycle parking area may also be provided, so long as it complies with all of the following requirements:
 - i. Minimum 0.6 metres wide, 1.8 metres tall and 1.0 metre in depth;

- ii. Has access either directly, or by way of an aisle, sidewalk or ramp, to a public or private lane or to a street without the necessity of moving any vehicle; and
 - iii. Is secured and covered from weather elements.
- hh) Accessory structures are permitted to be located within the side yard and shall be setback 1.4 metres from the southern front lot line. No setback is required from the main building it serves.
- (By-Law 8499; 2022-38)

621 (576-600 Princess Street and 465 Albert Street)

Notwithstanding the provisions of Section 5 and Section 23C hereof to the contrary, on the lands designated 'C4.621' on Schedule 'A' hereto, the following regulations shall apply:

o) Additional Permitted Use:

Live-work units, where a "live-work unit" means the use of a portion of a dwelling unit for an occupation, business, trade or craft that is permitted in the C4 zone and which is subordinate to the principal use of the dwelling unit. A live-work unit cannot have more than one person, other than a resident of the dwelling unit, working from the live-work unit.

p) Projection (along Princess Street) – First Storey:

Stairs that provide unit access shall be permitted to project out from the front of the building, but must be set back a minimum of 1.1 metres from the front lot line along Princess Street.

q) Minimum Rear Setback: 0 metres at the southeast corner of the site where the interior side and rear lot line meet, and 1.4 metres along the length of the rear lot line.

r) Maximum Lot Coverage: 77%

s) Mechanical Penthouse and Other Rooftop Mechanical Equipment:

- (i) "Other rooftop mechanical equipment" shall mean an elevator overrun, a stair overrun, and/or unenclosed mechanical equipment greater than 2.0 metres in height.

- (ii) Notwithstanding Section 5.14, mechanical penthouses shall be permitted to exceed the maximum allowable building height by up to 3.5 metres, excluding the elevator overrun, which shall be permitted to exceed the maximum allowable building height by up to 5.9 metres.
- (iii) Mechanical penthouses shall not exceed 10 percent of the roof area on which they are located, excluding the elevator overrun, which shall not exceed 3 percent of the roof area on which it is located.
- (iv) An elevator overrun shall be set back a minimum of 5.5 metres from the edge of a roof line.
- t) Minimum Parking Space Ratios:
 - (a) 0.17 parking spaces per dwelling unit
 - (b) 0.17 parking spaces per live-work unit
 - (c) 1 parking space per 150 square metres of gross floor area of commercial uses
- u) Of the provided parking spaces, a minimum of 7 shall be equipped with electric vehicle charging stations.
- v) Maximum Number of Bedrooms: 229 bedrooms
- w) Maximum Residential Density: 690 dwelling units per net hectare, inclusive of dwelling units and live-work units.
- x) Vehicle Parking Design Standards: The minimum size of a standard parking space shall be 2.7 metres wide by 5.5 metres long.
- y) In addition to the required number of bicycle parking spaces, a minimum of 21 visitor bicycle parking spaces shall be provided at grade.

(By-Law 8499; 2022-42)

(622) 347, 349, and 351 Alfred Street; and, 507, 521, 523, 525, 527, 53 Princess Street

Notwithstanding the provisions of Section 5 hereof to the contrary, on the lands designated 'C4-622-H' on Schedule 'A' hereto, the following regulations shall apply:

- a) Sections 23C.3 (Definitions) and 23C.4 (Regulations) of this By-Law do not apply.
- b) The maximum building heights in Schedule 'O' to this By-Law do not apply.
- c) Definitions: The following definitions shall apply to the lands:
 - (a) Amenity Area: The area situated within the boundaries of any development site intended for recreational purposes, and may include landscaped open space, patios, private amenity areas, balconies, communal lounges, swimming pools, children's play areas, and similar uses, but does not include any area occupied at grade by a building's service areas, parking areas, parking aisles, or driveways.
 - (b) Building Frontage: The building façade that fronts on a street line where access to the building is available.
 - (c) Streetwall: The wall of a building or portion of a wall facing a street line
 - (d) Streetwall Height: The vertical distance between the top of the streetwall and the street line
- d) Building Height – No part of the building shall exceed the height limits in metres specified by the numbers as shown on the height map attached to By-Law Number 2022-88 as Schedule "B", with a maximum of 5% variance on noted dimensions permitted.
- e) The minimum streetwall height for all buildings/structures is 10.5 metres.
- f) The maximum streetwall height for all buildings/structures is 16.25 metres.
- g) Notwithstanding Section 5.14, mechanical penthouses may exceed the maximum allowable building height by up to 5 metres.
- h) The minimum ground floor height is 4.2 metres.
- i) Buildings fronting on Princess Street are required to have ground floor commercial uses on the first storey where any portion of the lot aligns with the area identified as "Required Ground Floor Commercial Along Princess Street Frontage" on Schedule "O" to this By-Law.
- j) Where ground floor commercial uses are required, the entire street frontage of the first storey, excluding areas devoted to a lobby or other shared entrances/exits for other permitted uses, must be

occupied by commercial uses. Portions of the floor area of the first storey that do not have frontage on a public street may be occupied by uses that service the building such as loading spaces, waste management facilities and rooms, mechanical rooms, bicycle parking facilities and other similar uses.

- k) The minimum Front Yard is 1.0 metre.
- l) A minimum of 75 percent of a building frontage must be built to the front property line, or applicable setback line, for the height of the streetwall.
- m) The minimum setback from any lot line that abuts a residential zone is 1.165 metres
- n) Balconies are prohibited below the fourth storey of buildings fronting onto Princess Street.
- o) Parking and loading spaces are not permitted in a yard abutting a street line.
- p) The minimum off-street parking ratio for residential uses is 0.5 parking spaces per dwelling unit.
- q) The minimum off-street parking ratio for commercial uses is 1 parking space per 150 square metres of commercial gross floor area.
- r) A minimum of 8 accessible parking spaces must be provided.
- s) A minimum of 1 loading space must be provided.
- t) The amenity area provisions of Section 5.27 of this By-Law apply to the lands.
- u) Notwithstanding Section 5.27(a), a minimum of 10 square metres of amenity area must be provided for each dwelling unit on a lot.
- v) Accessory Building Provisions:
 - (a) Maximum Height: 4.6 metres;
 - (b) Maximum Lot Coverage: 10% of the lot area; and
 - (c) Location: Detached accessory buildings shall be located:
 - 1. In an interior side yard or rear yard;
 - 2. A minimum of 1.2 metres from a lot line;
 - 3. Not closer to the street than the front of the main building; and

4. Not closer to the street than the side of the main building on a corner lot.

(By-Law 8499; 2022-88)

w) Holding Symbol:

- (a) The use and removal of the Holding (H) Symbol shall be in accordance with the provisions of Section 5.39 of this By-Law; and
- (b) In addition to the requirements of Section 5.39 of this By-Law, the Holding (H) Symbol shall not be removed until such time as the following requirement has been met to the satisfaction of the Municipality:
- (c) Execution and registration (at the expense of the owner) of an agreement required by the Municipality with respect to the provision of community benefits under Section 37 of the Planning Act. Community Benefits in the amount of \$188,244.65 for 347, 349, and 351 Alfred Street; and 507, 521, 523, 525, 527, 531 Princess Street shall be allocated to the acquisition of Princess Street fronting public parkland in Williamsville.

“(623) **555, 557, 559 Princess Street**

Notwithstanding the provisions of Section 5 hereof to the contrary, on the lands designated ‘C4-623-H on Schedule ‘A’ hereto, the following regulations shall apply:

- i. Sections 23C.3 (Definitions), 23C.4 (Regulations) of this By-Law do not apply.
- ii. The maximum building heights in Schedule ‘O’ to this By-Law do not apply.
- iii. Definitions: The following definitions shall apply to the lands:
- (a) Amenity Area: The area situated within the boundaries of any development site intended for recreational purposes, and may include landscaped open space, patios, private amenity areas, balconies, communal lounges, swimming pools, children’s play areas, and similar uses, but does not include any area occupied at grade by a building’s service areas, parking areas, parking aisles, or driveways.
- (b) Building Frontage: The building façade that fronts on a street line where access to the building is available.

- (c) Streetwall: The wall of a building or portion of a wall facing a street line.
 - (d) Streetwall Height: The vertical distance between the top of the streetwall and the street line.
- iv. Building Height – No part of the building shall exceed the height limits in metres specified by the numbers as shown on the height map attached to By-law Number 2022-88 as Schedule 'C', with a maximum of 5% variance on noted dimensions permitted.
 - v. The minimum streetwall height for all buildings/structures is 10.5 metres
 - vi. The maximum streetwall height for all buildings/structures is 16.25 metres.
 - vii. Notwithstanding Section 5.14, mechanical penthouses may exceed the maximum allowable building height by up to 5 metres.
 - viii. The minimum ground floor height is 4.2 metres.
 - ix. Buildings fronting on Princess Street are required to have ground floor commercial uses on the first storey where any portion of the lot aligns with the area identified as "Required Ground Floor Commercial Along Princess Street Frontage" on Schedule "O" to this By-Law.
 - x. Where ground floor commercial uses are required, the entire street frontage of the first storey, excluding areas devoted to a lobby or other shared entrances/exits for other permitted uses, must be occupied by commercial uses. Portions of the floor area of the first storey that do not have frontage on a public street may be occupied by uses that service the building such as loading spaces, waste management facilities and rooms, mechanical rooms, bicycle parking facilities and other similar uses.
 - xi. The minimum Front Yard is 1.0 metre.
 - xii. Minimum Rear Yard: 7.3 metres.
 - xiii. A minimum of 75 percent of a building frontage must be built to the front property line, or applicable setback line, for the height of the streetwall.
 - xiv. Balconies are prohibited below the fourth storey of buildings fronting onto Princess Street.
 - xv. Parking and loading spaces are not permitted in a yard abutting a street line.

- xvi. The minimum off-street parking ratio for residential uses is 0.5 spaces per dwelling unit.
- xvii. The minimum off-street parking ratio for commercial uses is 1 parking space per 150 square metres of commercial gross floor area.
- xviii. A minimum of 8 accessible parking spaces must be provided.
- xix. A minimum of 1 loading space must be provided.
- xx. The amenity area provisions of Section 5.27 of this By-Law apply to the lands.
- xxi. Notwithstanding Section 5.27(a), a minimum of 10 square metres of amenity area must be provided for each dwelling unit on a lot.
- xxii. Accessory Building Provisions:
 - (a) Maximum Height: 4.6 metres;
 - (b) Maximum Lot Coverage: 10% of the lot area; and
 - (c) Location: Detached accessory buildings shall be located:
 - 1. In an interior side yard or rear yard;
 - 2. A minimum of 1.2 metres from a lot line;
 - 3. Not closer to the street than the front of the main building; and
 - 4. Not closer to the street than the side of the main building on a corner lot.
- xxiii. Holding Symbol:
 - (a) The use and removal of the Holding (H) Symbol shall be in accordance with the provisions of Section 5.39 of this By-Law; and
 - (b) In addition to the requirements of Section 5.39 of this By-Law, the Holding (H) Symbol shall not be removed until such time as the following requirement has been met to the satisfaction of the Municipality:
 - (i) Execution and registration (at the expense of the owner) of an agreement required by the Municipality with respect to the provision of community benefits under Section 37 of the Planning Act. Community benefits in the amount of \$116,508.57 for 555, 557 and 559 Princess Street shall be allocated to the acquisition of Princess Street fronting public parkland in Williamsville.

(By-Law 8499; 2022-88)

Part IX

Legend

Descriptive Name of Zone	Zone Symbol	Applicable Part of this By-Law
Residential		Part II
One-Family and Two Family	A	
One-Family	A1	
One-Family	A2	
One-Family and Two-Family	A3	
One-Family and Two-Family	A4	
One-Family and Two Family	A5	
Mobile Home	A6	
One-Family, Semi- Detached and Linked	A7	
Single Detached, Semi-Detached, Row Dwelling	A8	
Three Family to Six Family	B	
Multiple Family	B1	
Multiple Family (unified ownership)	B2	
Multiple Family	B3	
Special Education and Medical		Part III
Special Education and Medical	E	
Special Education and Medical	E1	
Special Education and Medical	E2	
Commercial		
Central Business District	C	
Neighbourhood Commercial	C1	
Arterial Commercial	C2	
Shopping Centre Commercial	C3	
Industrial		Part V
Industrial Zone	M	
Industrial Zone	M1	
Industrial Zone	M2	
Waterfront Industrial Zone	M5	
Industrial Zone	M6	
Industrial Zone	M7	
Fuel Storage and Limited Light Industrial	M8	
Business Park	M9	
Parks, Open Space and Environmental Protection Area		Part VI
General Recreation Park	P	

Descriptive Name of Zone	Zone Symbol	Applicable Part of this By-Law
Recreational Building	P1	
Water-area	P2	
Public Open Space	OS1	
Private Open Space	OS2	
Harbour Open Space	OS3	
Environmental Protection Area	EPA	

(By-Law Numbers 8499 – 1975; 83-110 – 1983; 84-174 – 1984; 85-288 – 1985;
92-346 – 1992; 96-259 – 1996)

Restricted Area (Zoning) By-Law Of The Corporation Of The City Of Kingston

Key Map

Map Numbers 1 – 32

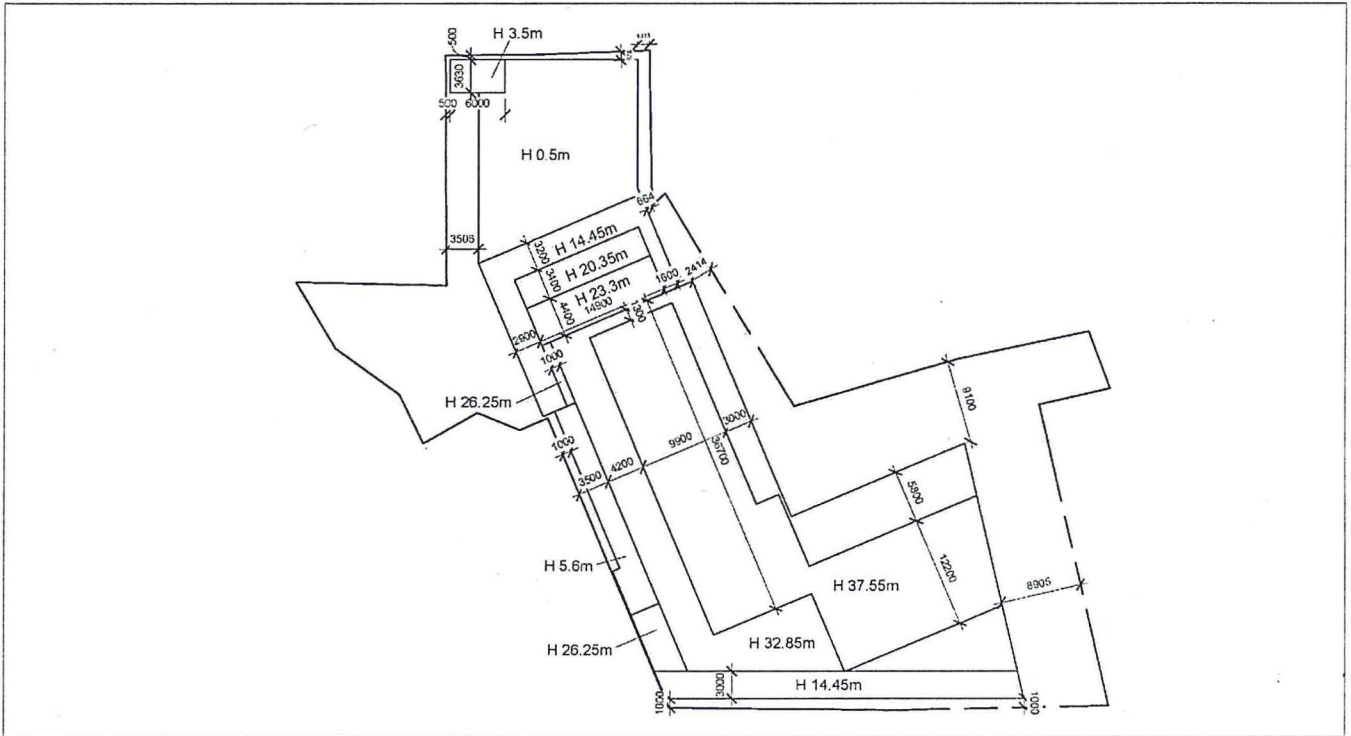
Schedule B, C, D, F, G, H, I, J, L, M and N

(Additional Schedules added –Schedule B for the C4.463 Zone regarding Amending By-Law 2015-62 and Schedule B for the C4.463 Zone regarding Amending By-Law 2015-63 (OMB Order PL150371)

(Schedule K: repealed by By-Law Number 2010-189)

(Schedules E-1, E-2 and E-3: repealed by By-Law Number 2010-215 these schedules have been deleted by OMB PL 120467 November 2012)

Maps: Note: for the most recent consolidated map schedules; these are available from the following web site: <http://www.cityofkingston.ca/business/planning-and-development/zoning>



Teeple Architects PRK Developments	13-118 495 PRINCESS ST 495 PRINCESS ST, KINGSTON ON	Height Map North	1:350 MP 04/22/2015 4:02:45 PM	SK-011 No



THE CORPORATION OF THE CITY OF KINGSTON

**SCHEDULE 'B'
TO BY-LAW NUMBER 2015-62**

Planning, Building & Licensing Services
a department of Community Services

Applicant: PRK Developments
File Number: D14-075-2014
Address: 493-497 Princess St. 2 & 10 Creighton St.
Legal Description: PLAN C18 PT PMINNES TRACT
ARN: 101103003010100 & 101103003010200 &
101103003010000 & 101103003011300 &
101103003010700 & 101103003011200

Legend:

Reference By-Law 8499, Map 19
Applies to Lands Zoned C4.463

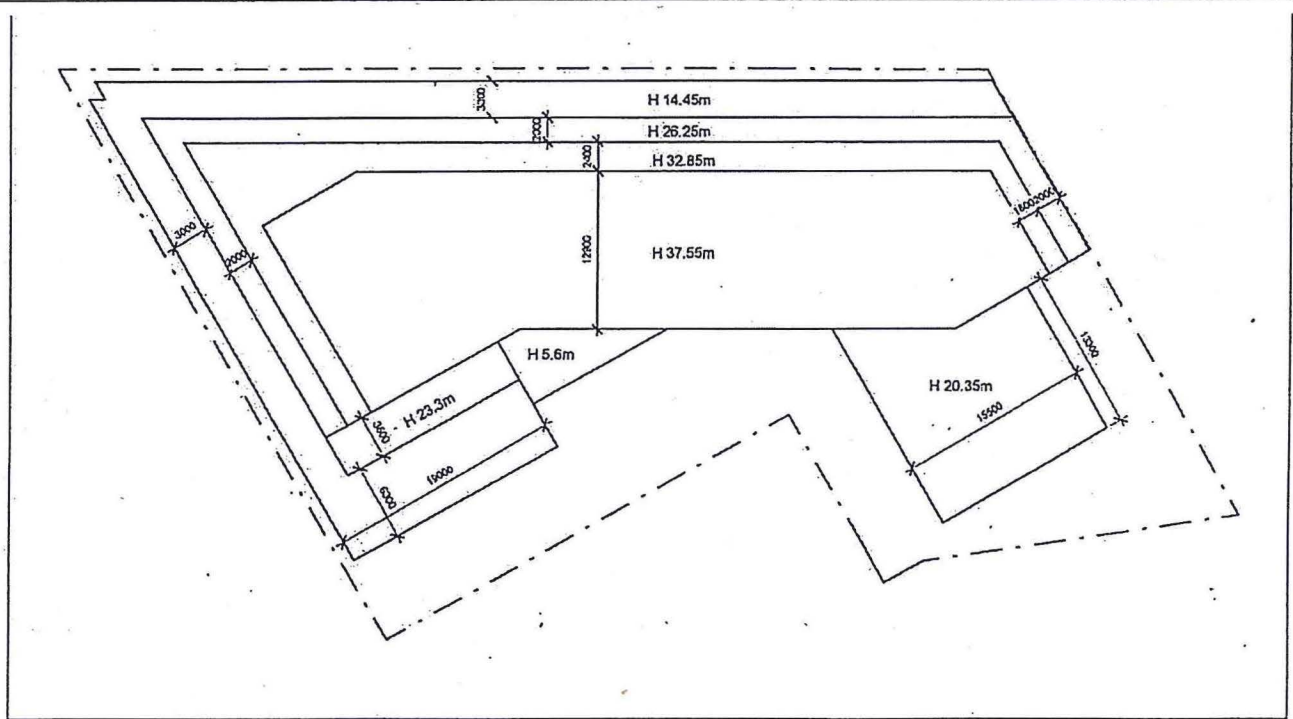
Certificate of Authentication

This is Schedule 'B' to By-Law Number 2015-62, passed this 25 day of March 2015.



Mayor

Clerk



Teeple Architects™
Podium/RSH

13-118 333 UNIVERSITY AVE.
333 UNIVERSITY AVE, KINGSTON ON
HEIGHT MAP SOUTH

1:250 SK-10
4402015 4.11.13 No



THE CORPORATION OF THE CITY OF KINGSTON
SCHEDULE 'B'
TO BY-LAW NO. 2015-63

Planning, Building
& Licensing Services
a department of
Community
Services

Applicant: PRK Developments
File Number: D14-076-2014
Address: 462-468 & 480 Princess Street, 327 University Avenue
Legal Description: PJOHN DUFF BLK PLAN A12 B;219 &
PJOHN DUFF BLK R A12 B 219 &
PLAN 134 PT LOT 1 LOTS 2,3;PT RESERVE B 219 &
PJOHN DUFF BLK PLAN A12 B;219 RP13R13692 PART 1
ARN: 101102014004800 & 101102014004700 &
101102014004500 & 101102014004900



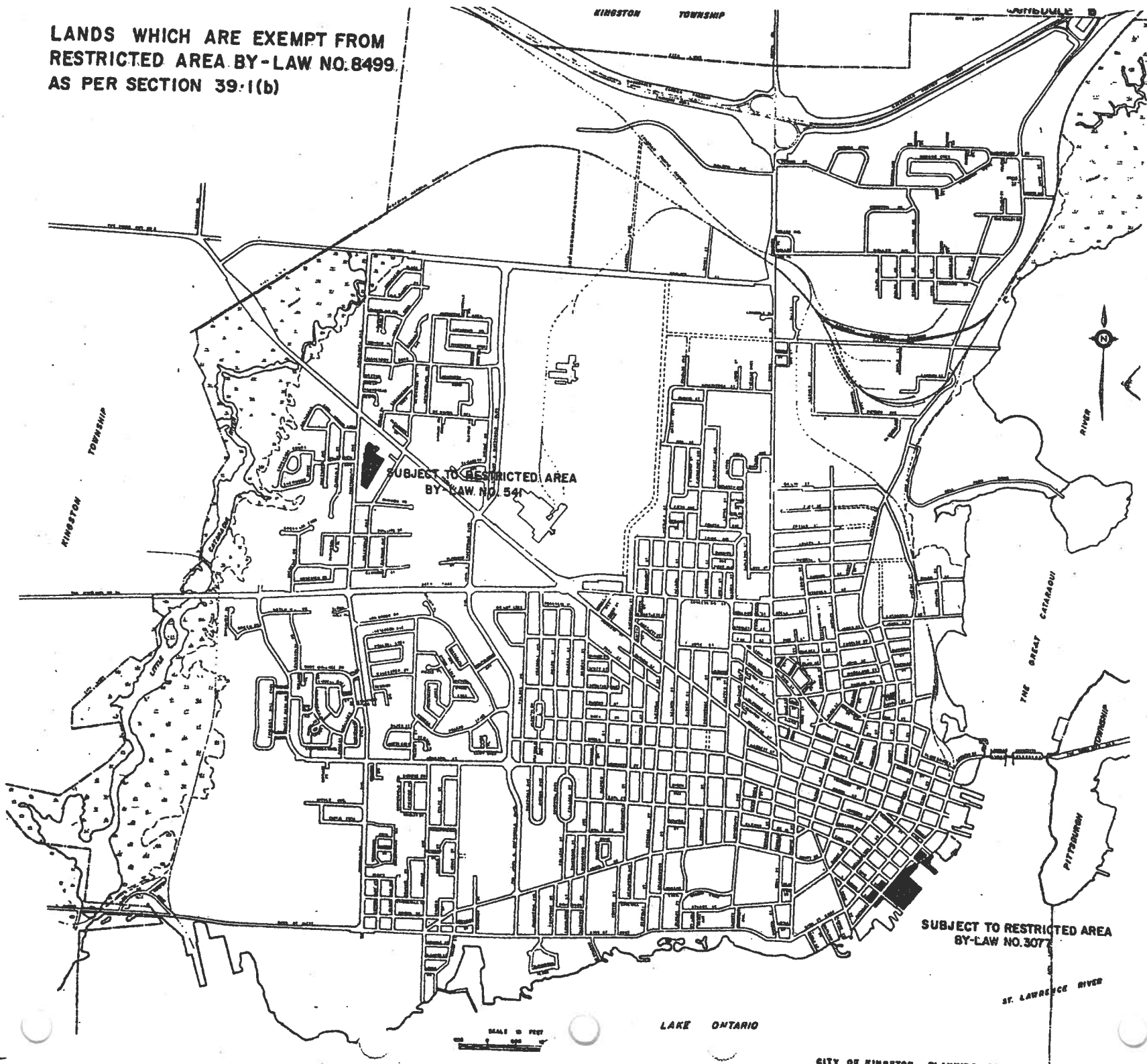
Legend:

Reference By-Law 8499, Map 19
Applies to Lands Zoned C4.465

Certificate of Authentication

This is Schedule 'B' to By-Law No. 2015-63,
passed this 24 day of March 2015.
OMB Order to amend By-Law 2015-63
and attached Schedule 'A' and 'B'.
OMB File Number PL150371

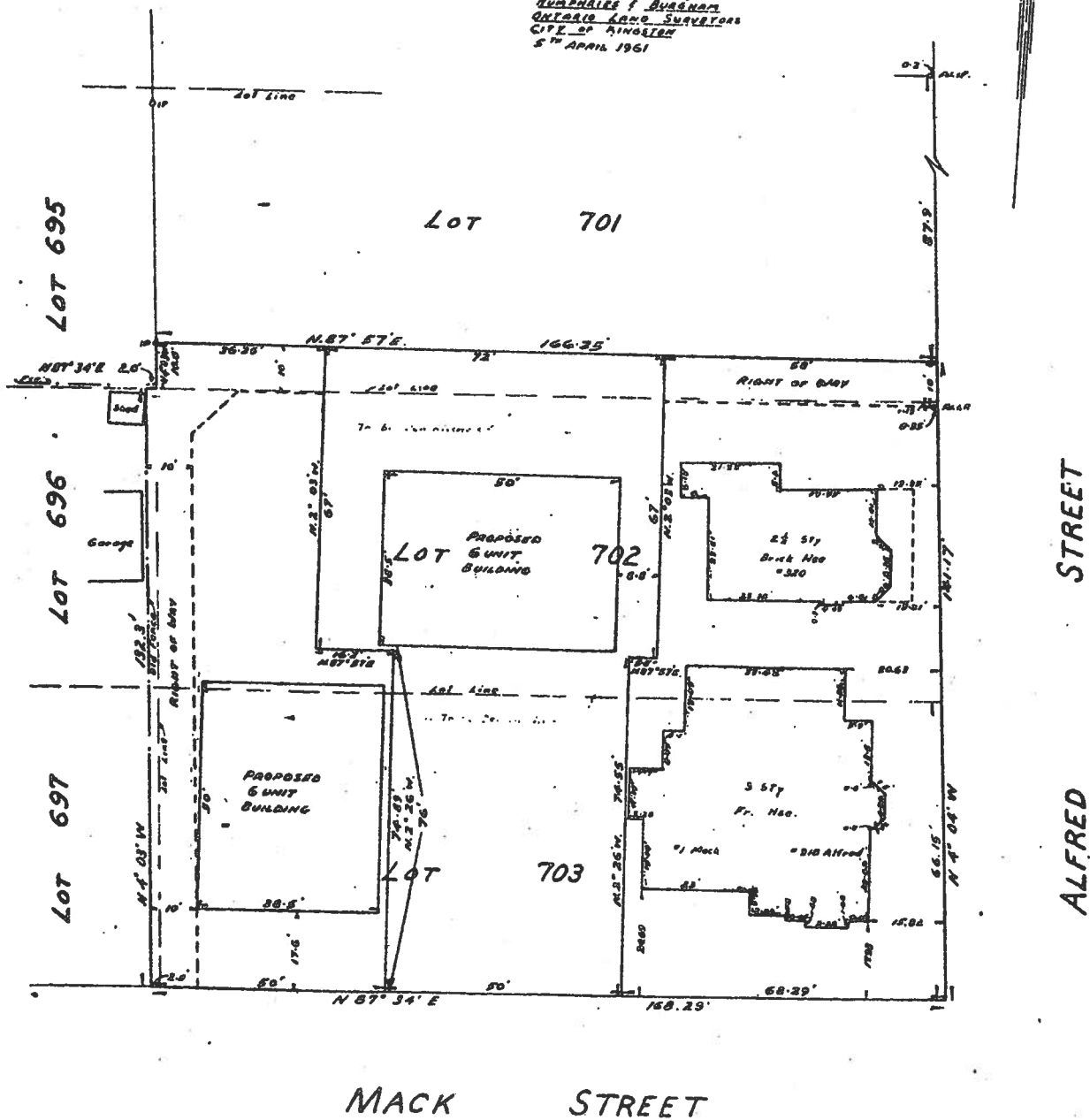
**LANDS WHICH ARE EXEMPT FROM
RESTRICTED AREA BY-LAW NO.8499
AS PER SECTION 39-1(b)**



PLAN OF
LOTS 702 & 703, AND
PARTS OF LOTS 696, 697 & 701
REG. PLAN A-12
CITY OF KINGSTON
Scale: 1" = 20'

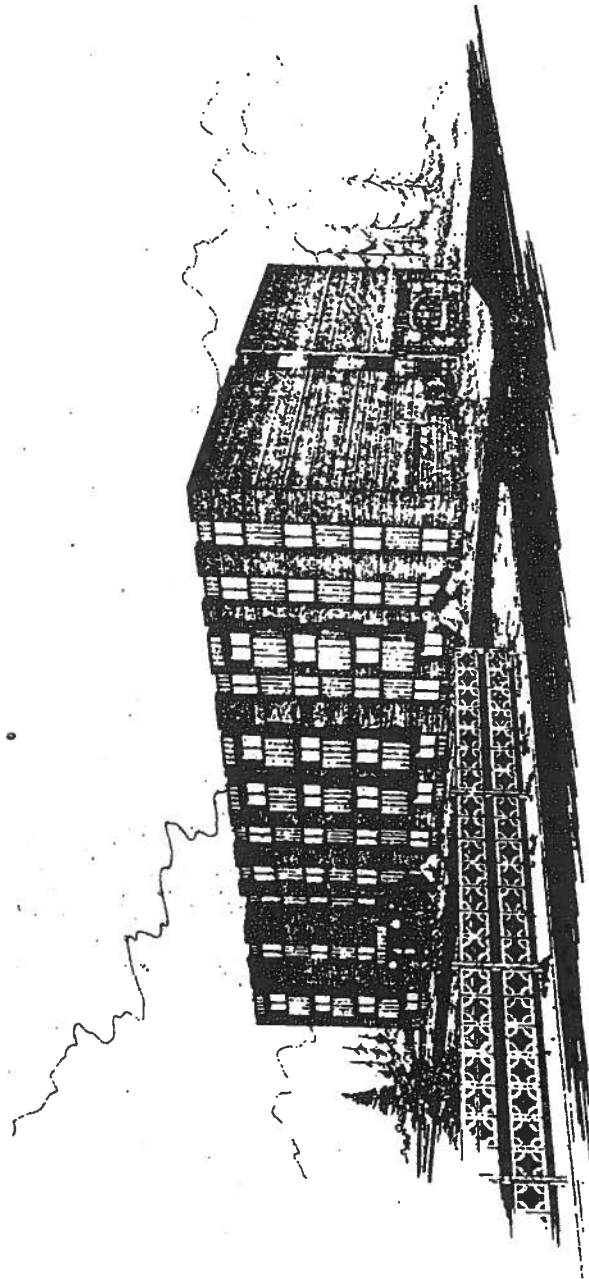


Allen R. Bingham
MEMORIAL & BUSINESS
SURVEYING & ENGINEERING
OFFICE
CITY OF KINGSTON
5TH APRIL 1961



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WORLD REPUTED BY
REPUTATION • FINEST

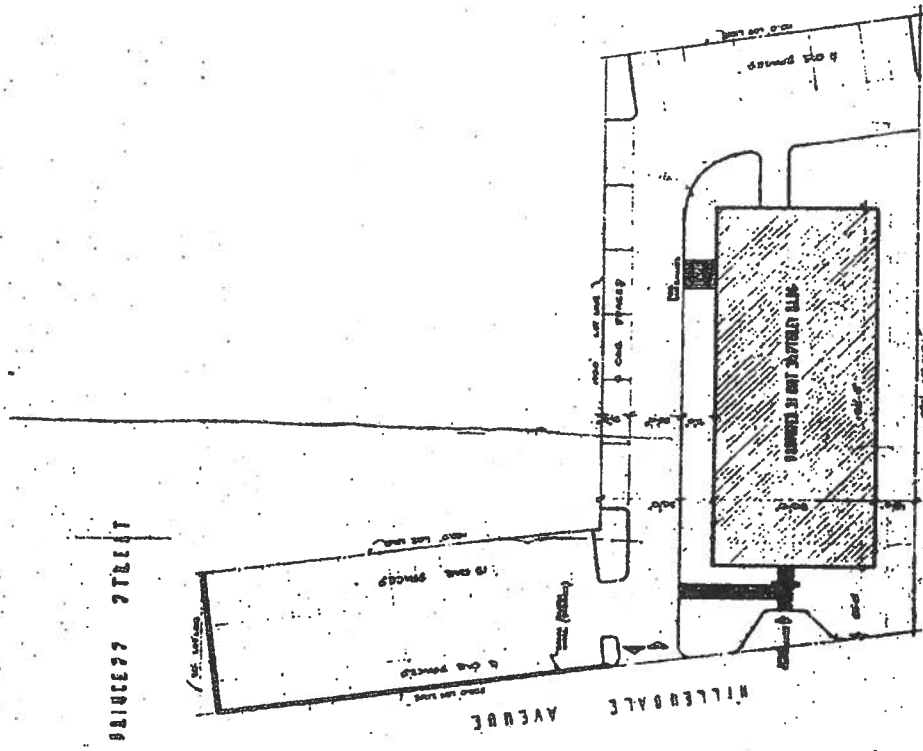


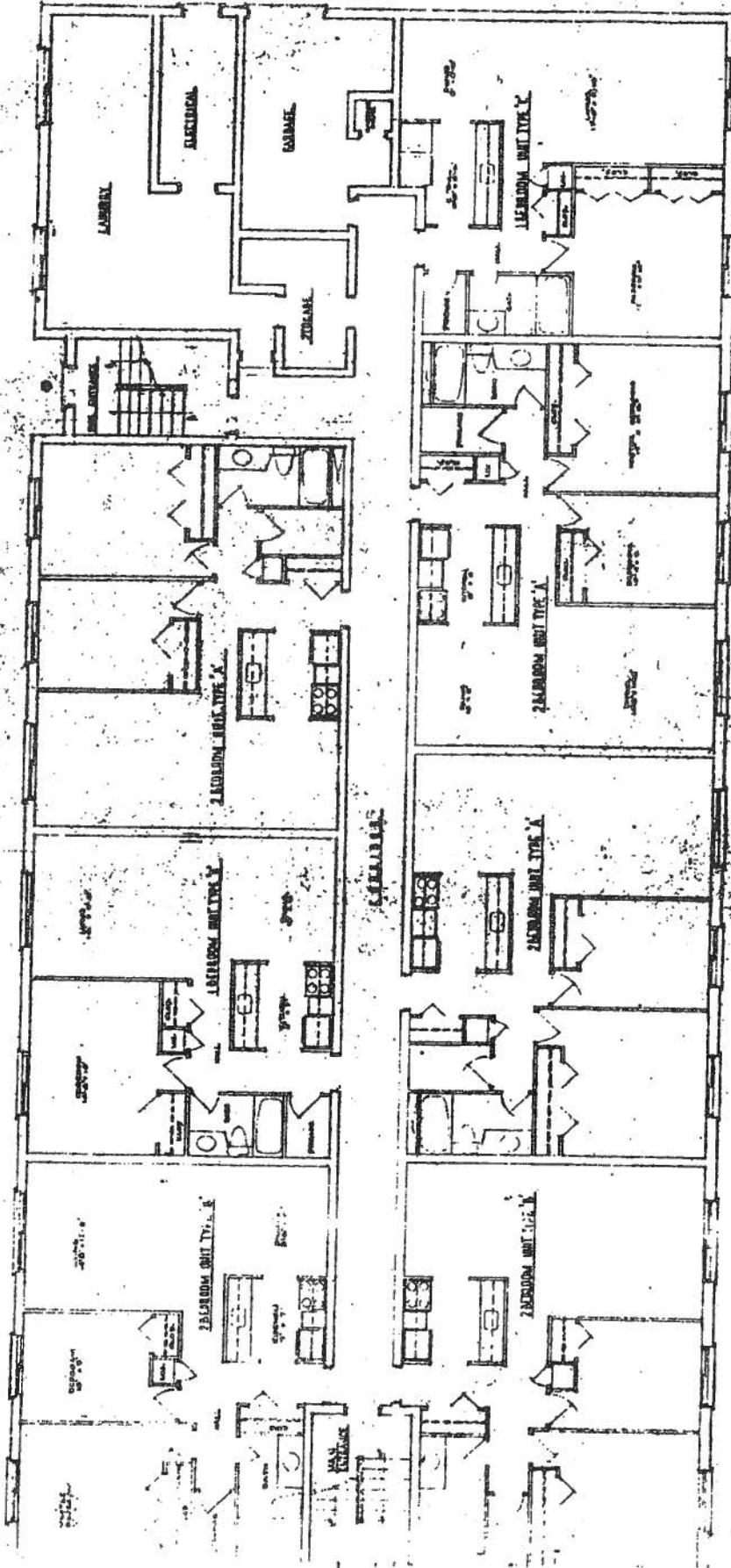
WORLD REPUTED BY

PLANNING
DIVISION
OFFICE

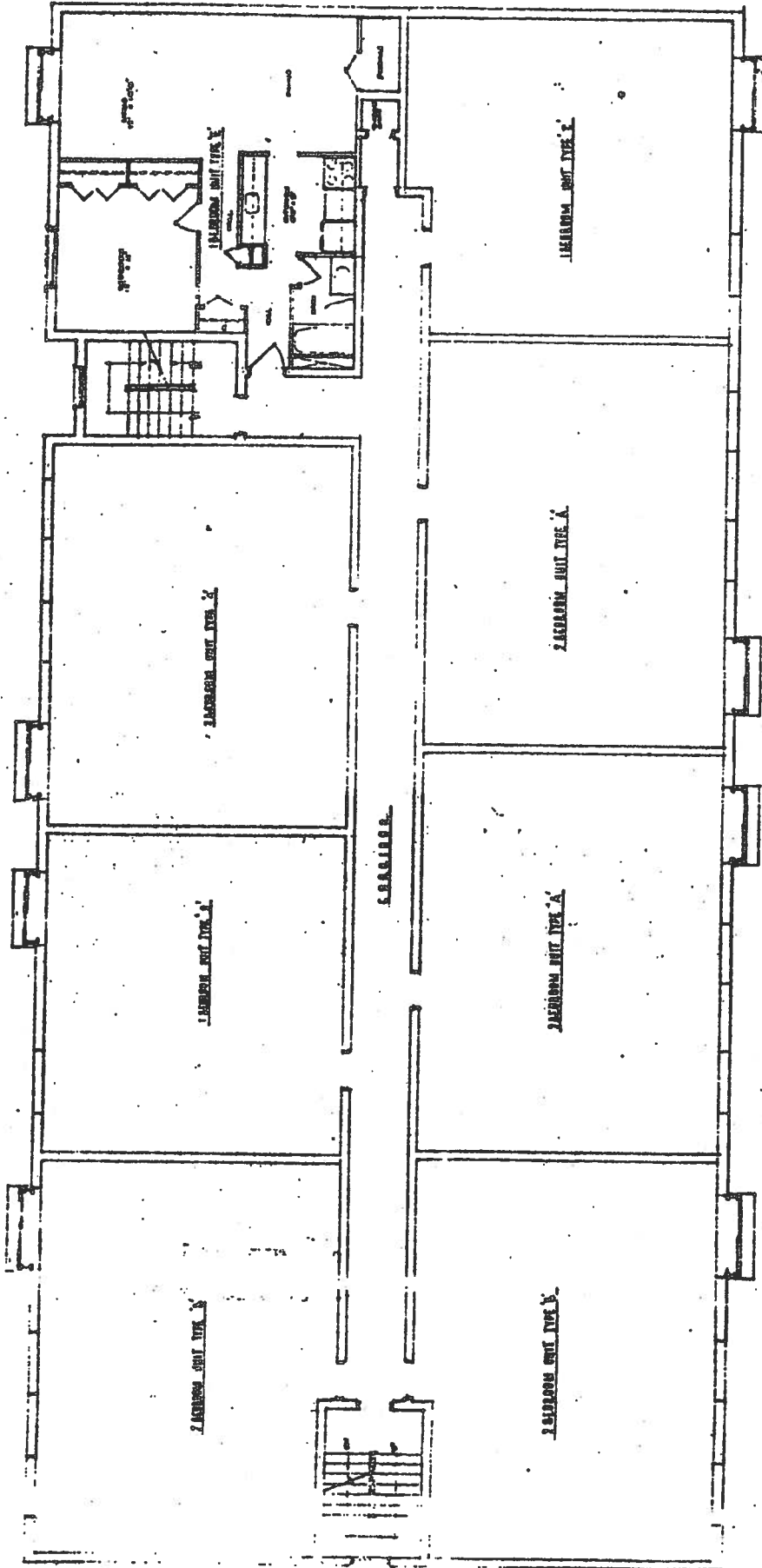
2

UNIT NUMBER 2
MAY 1960





STATE PROJECT D. 1960 FLOOR PLAN
ARCHITECT: [Symbol]



PLANNING
AND DESIGN
OFFICE

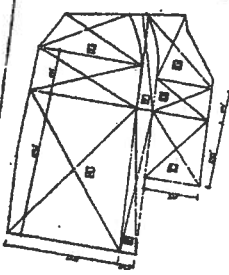
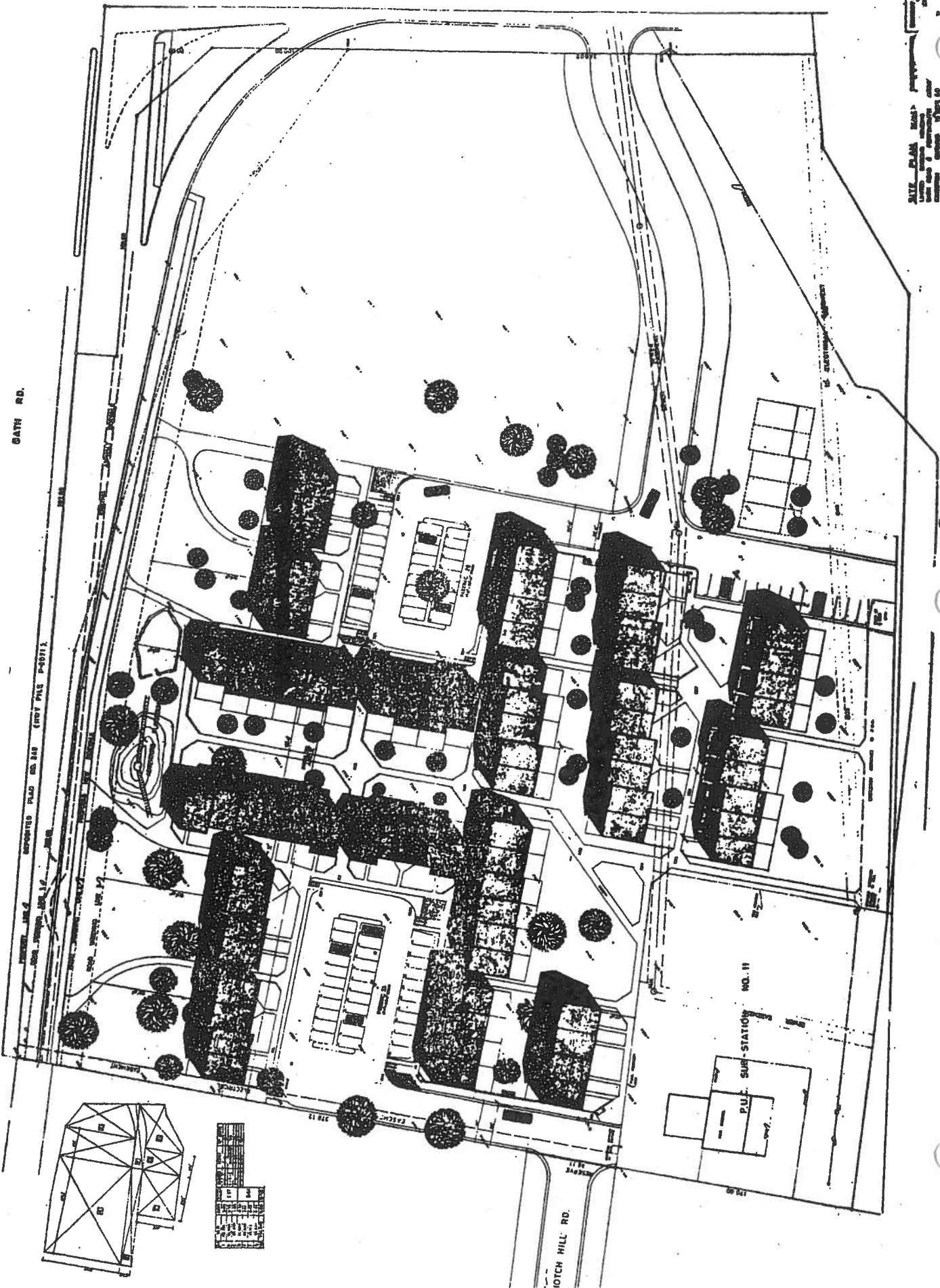


NOT TO SCALE
SEE SCHEDULE D-1 FOR DIMENSIONS

SITE PLAN
NO. 11
P.U. SUB-STATION
NO. 11

PORTSMOUTH AVE

GATH RD.



1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50

LOTCH HILL RD.

KINGSTON, ONTARIO

SCHEMATIC FOR: TO BYLAW NUMBER

SITE PLAN

MEMBERSHIP

DATE APRIL 1972	BY O.R.O.
L = 100-0	

LAND OWNERSHIP WITHIN SUBDIVISION

KINGSTON P.U.C.	1.624 ACRES
CITY OF KINGSTON	7.622 "
HEADWAY CORPORATION	24.772 "
TOTAL	33.959 ACRES

PROPOSED LAND USE AND AREA

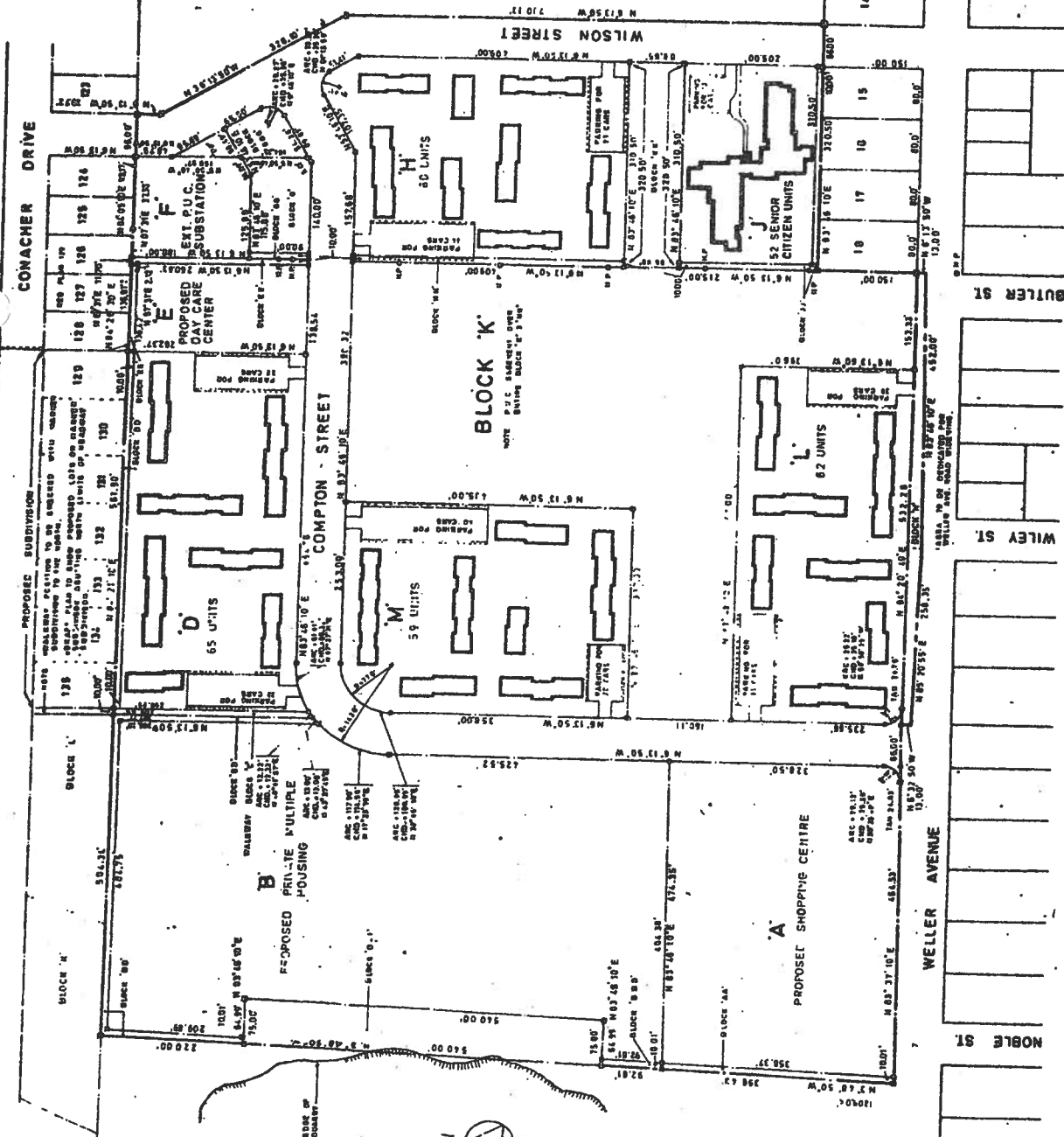
BLOCK NUMBER	PROPOSED LAND USE	AREA ACRES
'A' & 'A'	SHOPPING CENTRE	4.082
'B'	HEADWAY HIGHRISE	0.598
'C'	APARTMENT BUILDINGS	0.070
'D' & 'D'	WALKWAY	2.953
'E' & 'E'	DAY CARE CENTRE OR	0.928
'F' & 'F'	CITY PARK	0.130
'G' & 'G'	P.U.C. SUBST. BLDG. & 2500 SQ. FT. OFFICE	0.084
'H' & 'H'	CITY PARK	2.122
'J' & 'J'	O.H.C. FAMILY UNITS	0.000
'K' & 'K'	O.H.C. SENIOR CITIZEN UNITS	3.383
'L'	O.H.C. FAMILY UNITS	0.240
'M'	O.H.C. SENIOR CITIZEN UNITS	2.844
'N'	ROAD WIDENING	1.630
TOTAL		33.959

COMPTON STREET	2.400 ACRES
PORTION ON HEADWAY PROPERTY	0.434 "
PORTION ON P.U.C. & CITY LANDS	2.064 "
TOTAL	

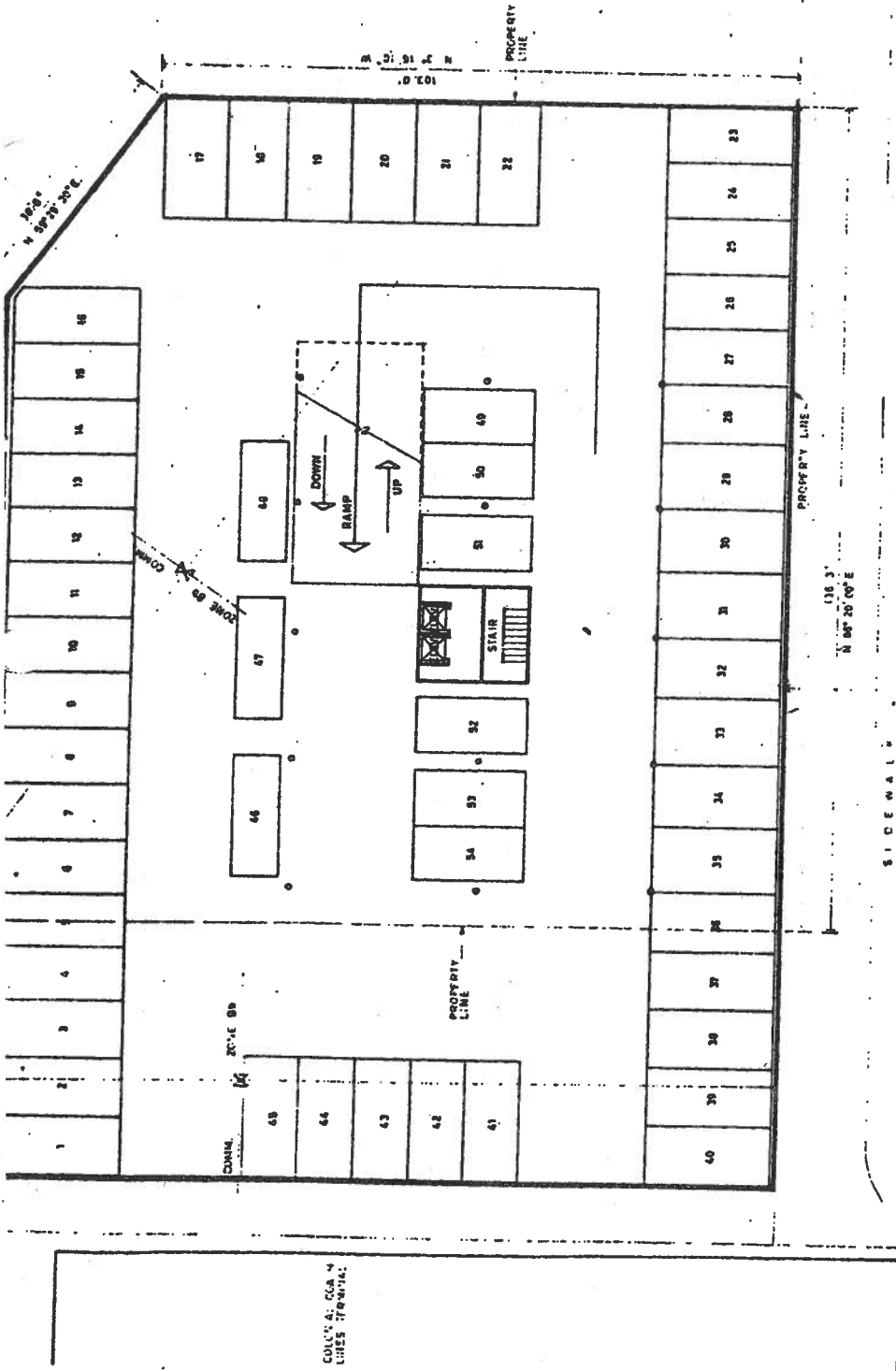
CITY PARK	7.340 ACRES
HEADWAY PORTION	0.652 "
CITY PORTION	0.000 "
TOTAL	

EXISTING OWNERS
 HEADWAY CORPORATION LIMITED
 CITY OF KINGSTON
 PUBLIC UTILITY COMMISSION

EXCHANGE OF LAND
 HEADWAY TO CITY
 CITY TO HEADWAY
 CITY TO P.U.C.
 P.U.C. TO CITY



SITE PLAN



FRANKLIN PLACE

BASEMENT PLAN - PARKING

SIDEWALK

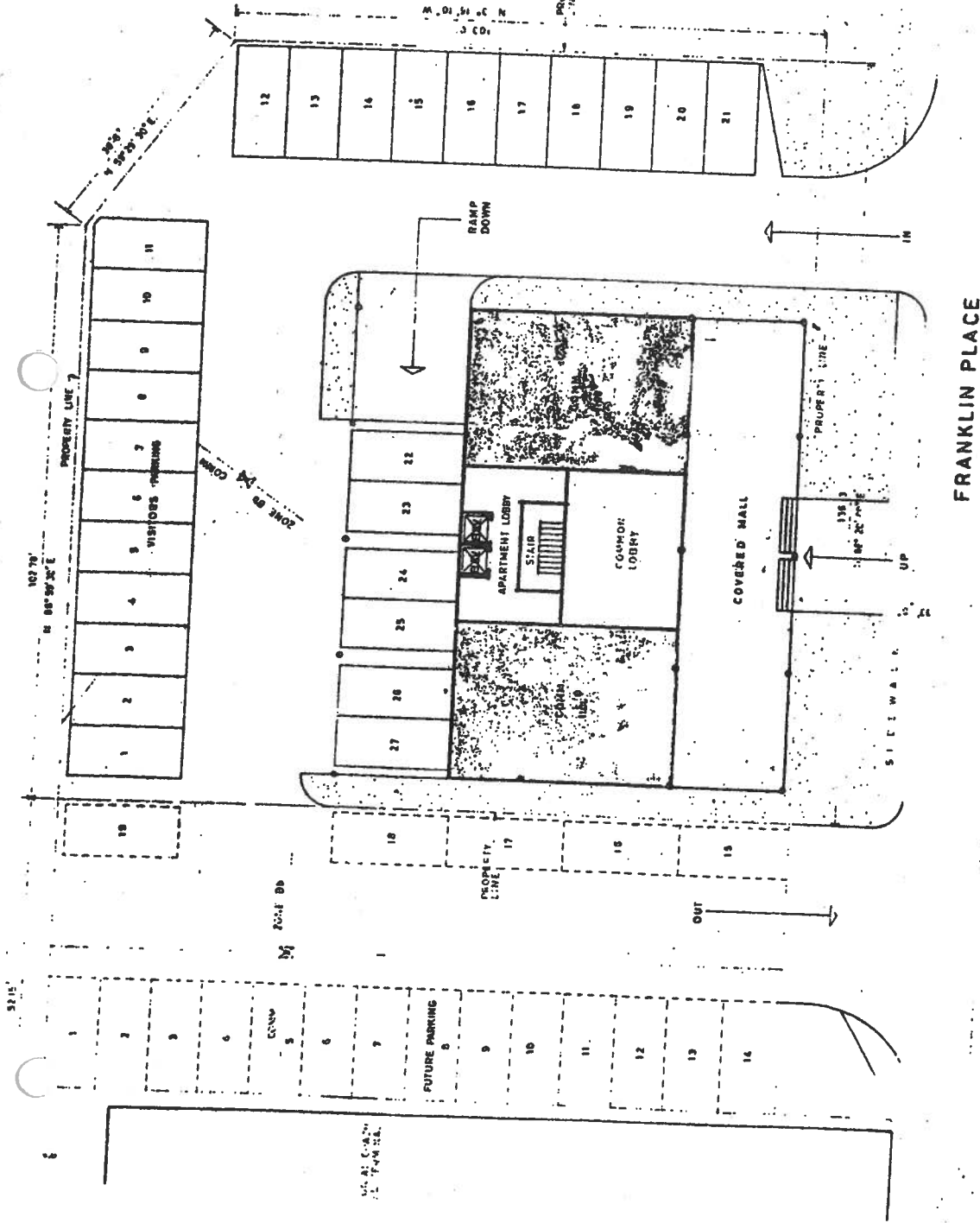
<p>SCHEME 'F'</p>	<p>PROPOSED FRANKLIN PLACE JOB NO. 8910</p>	<p>COMMERCIAL & APARTMENT COMPLEX</p>	<p>SCHEMATIC STUDY SINGSTON ONTARIO NOVEMBER 1970</p>	<p>SCALE 1/8" = 1'-0"</p>	<p>COPYRIGHT ERNEST A. CROMBIE ARCHITECTS SINGSTON ONTARIO</p>
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①

Lot area apprx. 23,500
 Apartment Area
 Per. 6 typical floors 24,720⁺
 Commercial Area 6,600⁺

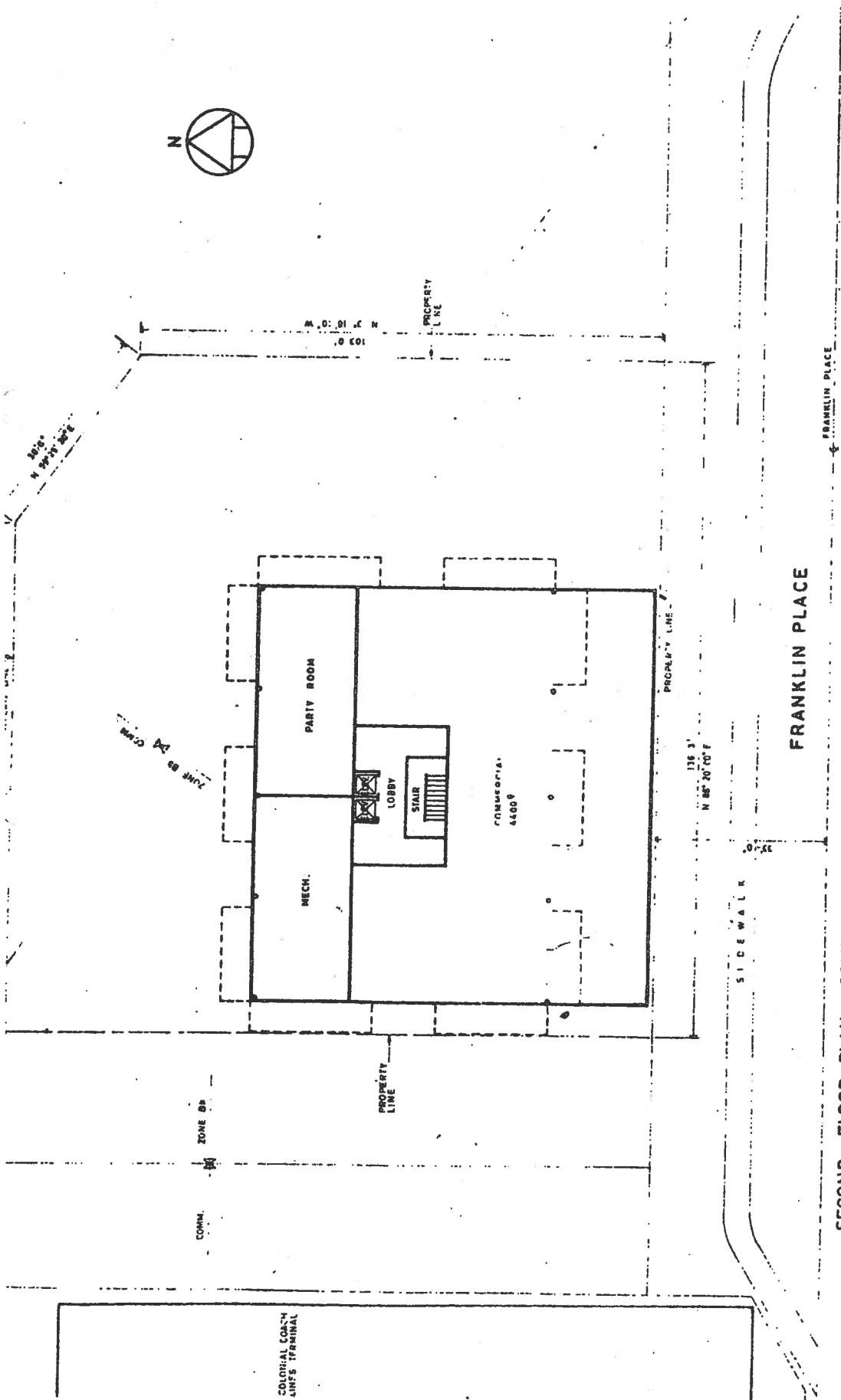
Parking Accomodation

48 Apts.	48
Commer'l.	33
Present Total	81
Future Parking On Surface	19
Total	100



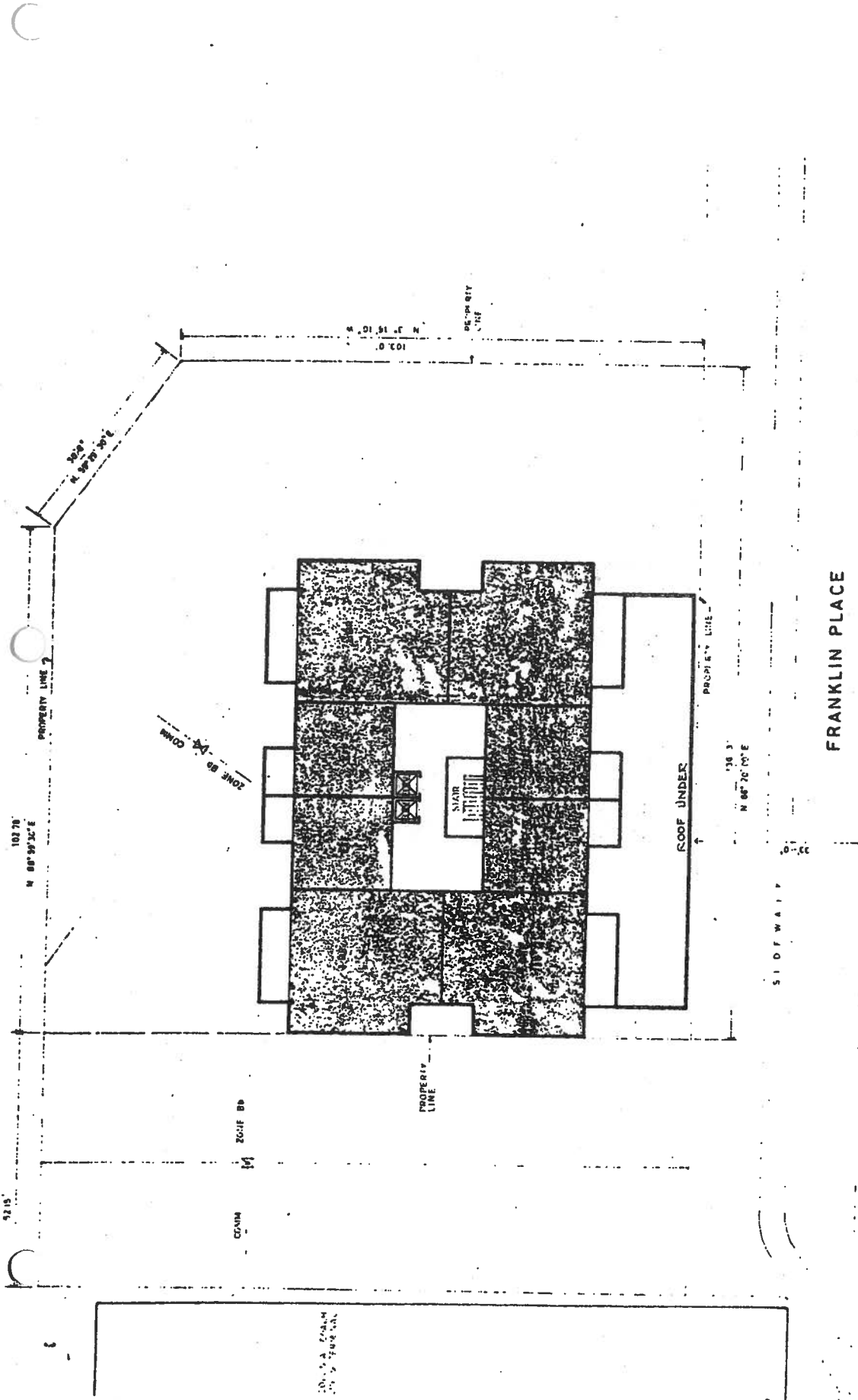
GROUND FLOOR PLAN - COMMERCIAL

SCHEME 'F'	PROPOSED FRANKLIN PLACE JOB NO. 8910 DATE 11/71	SCHEMATIC STUDY RINGSBOM ONTARIO NOVEMBER 1970	SCALE 1/8" = 1'-0"	COPYRIGHT ERNEST A. CRONQWY ARCHITECT RINGSBOM ONTARIO
	2			



SECOND FLOOR PLAN - COMMERCIAL

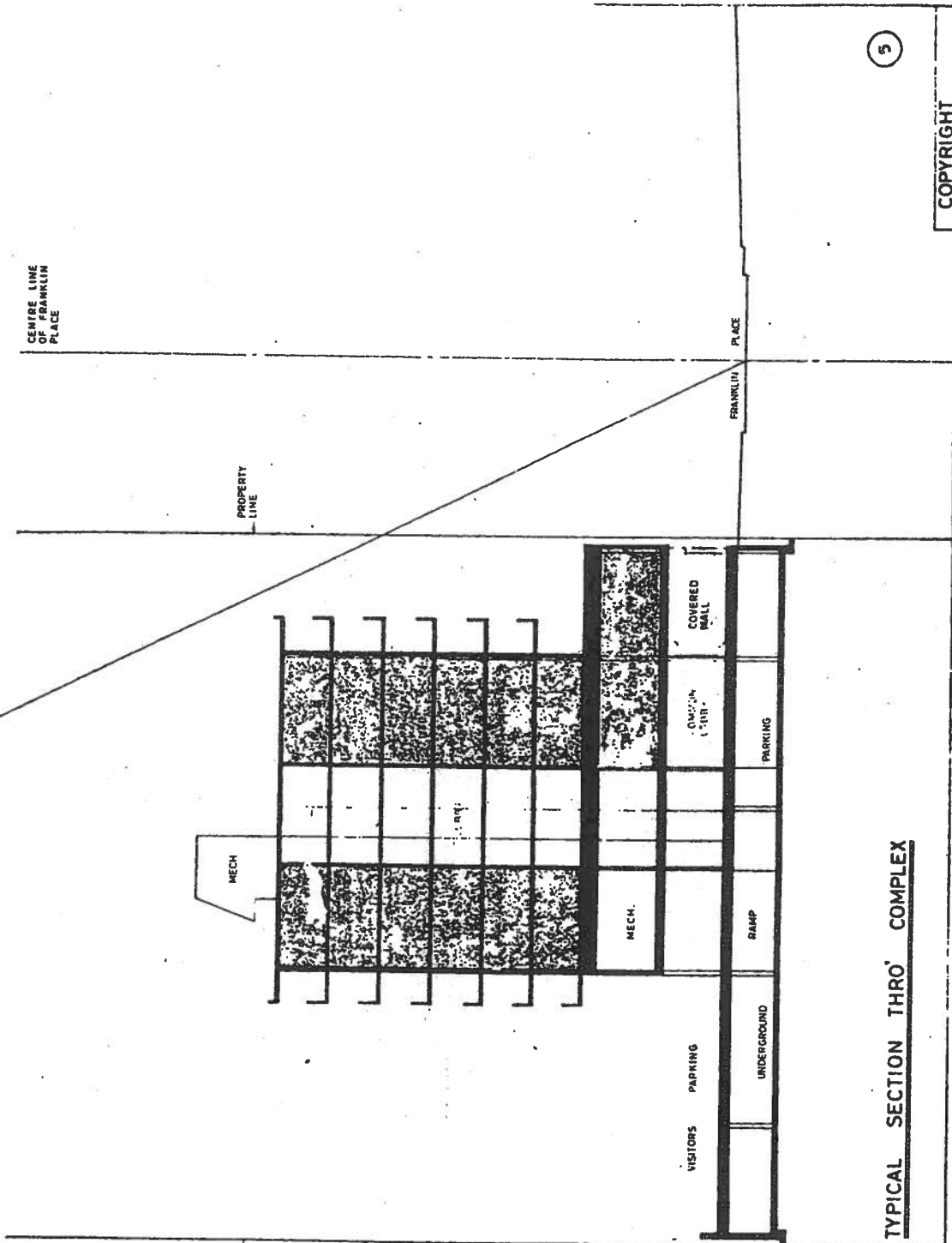
<p>SCHEME 'F'</p>	<p>PROPOSED FRANKLIN PLACE JOB NO 6910</p>	<p>COMMERCIAL & APARTMENT COMPLEX</p>	<p>SCHEMATIC KINGSTON NOVEMBER 1970</p>	<p>STUDY ONTARIO</p>	<p>SCALE 1/4" = 1'-0"</p>	<p>COPYRIGHT ERNEST & COBURN ARCHITECT KINGSTON ONTARIO</p>
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TYPICAL FLOOR PLAN

4

<p>SCHEME 'F'</p>	<p>PROPOSED COMMERCIAL & APARTMENT COMPLEX</p>	<p>SCHEMATIC STUDY</p>	<p>SCALE 1/8" = 1'-0"</p>	<p>COPYRIGHT ERNEST A. CROGMARY ARCHITECT KINGSTON ONTARIO</p>
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TYPICAL SECTION THRO' COMPLEX

SCHEME 'C'

PROPOSED COMMERCIAL & APARTMENT COMPLEX

SCHEMATIC STUDY

SCALE 1/8" = 1'-0"

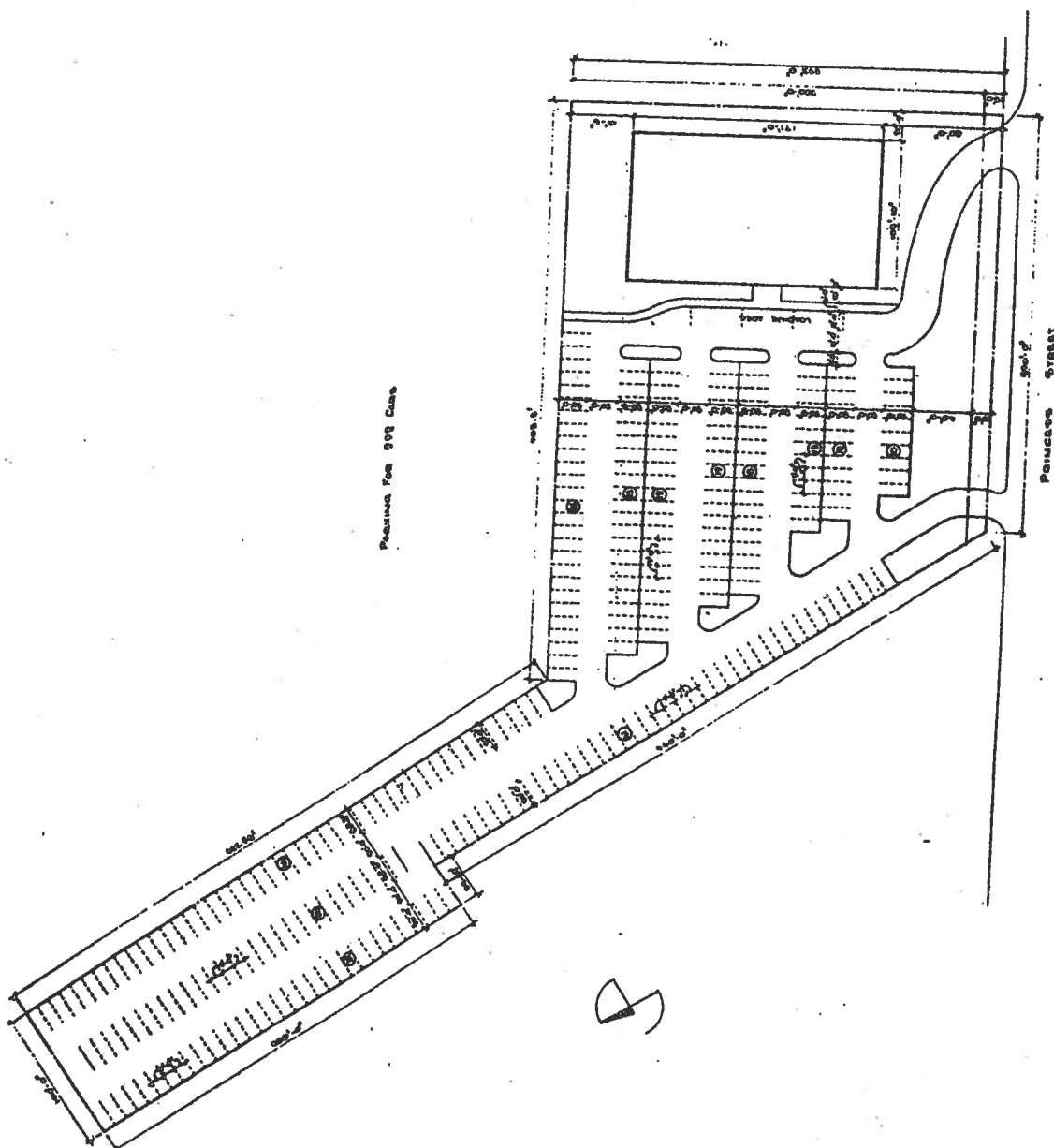
COPYRIGHT

ARCHITECTS
SINCE 1910

FRANKLIN PLACE
1910

1000
1000

<p>GENERAL NOTES</p> <p>1. REFER TO DRAWING FOR DIMENSIONS AND SPECIFICATIONS.</p> <p>2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.</p> <p>3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.</p> <p>4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.</p> <p>5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.</p> <p>6. THE CONTRACTOR SHALL MAINTAIN THE SITE IN A SAFE AND SOUND CONDITION AT ALL TIMES.</p> <p>7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL DEBRIS AND WASTE FROM THE SITE.</p> <p>8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE RESTORATION OF THE SITE TO ITS ORIGINAL CONDITION.</p>	<p>DATE: _____</p> <p>BY: _____</p>
	<p>PROJECT: OFFICE BUILDING FOR D.P.W. OF ONTARIO, KINGSTON, ONT.</p>



SITE PLAN - SEAS - 1/1/62

SITE PLAN

GENERAL NOTES

1. CONTRACTOR TO VERIFY ALL DIMENSIONS TO BE SHOWN ON THIS DRAWING AND TO REPORT ANY DISCREPANCIES TO THE ARCHITECT IMMEDIATELY UPON DISCOVERY.

2. ALL MATERIALS, WORKMANSHIP, FINISHES, ETC. TO BE APPROVED BY THE ARCHITECT AND TO BE SHOWN ON THE DRAWING AS APPROVED BY THE ARCHITECT.

3. SEE TO GENERAL CONTRACTOR'S SPECIFICATIONS.



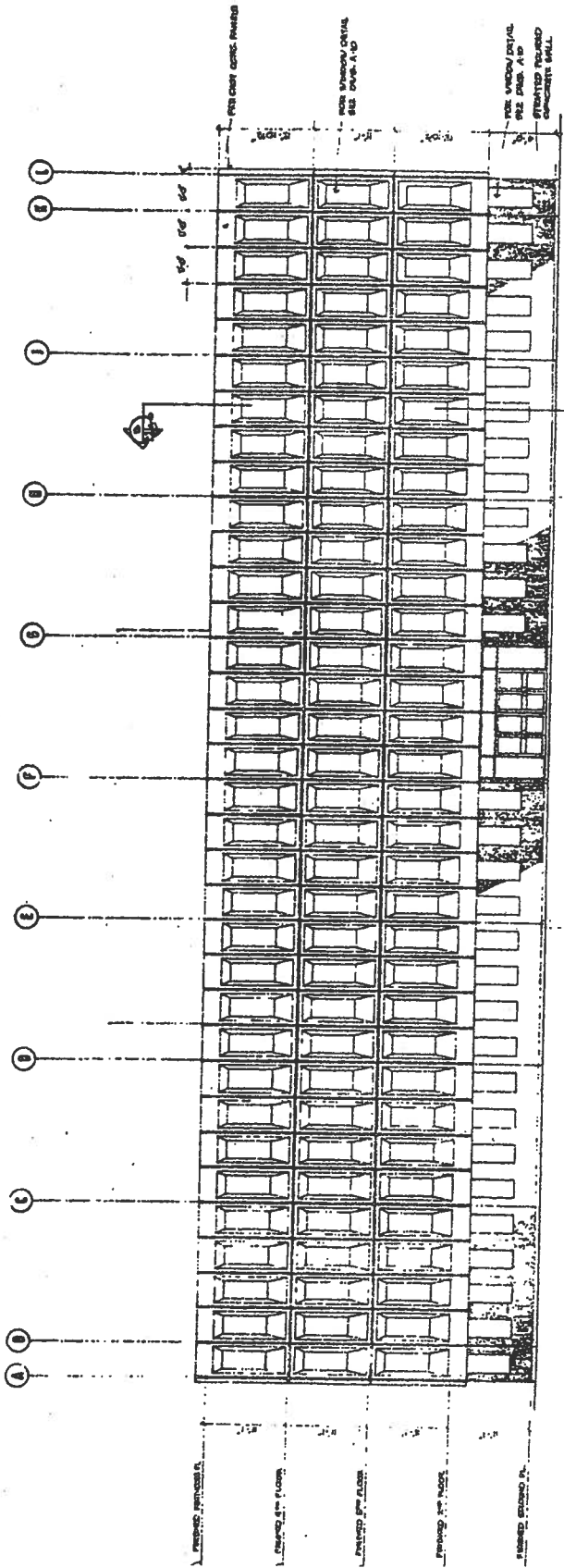
DATE	DEPT 1977
FILE	AS SHOWN
FILE #	432-2
REV #	7204
DATE	

WEST 7

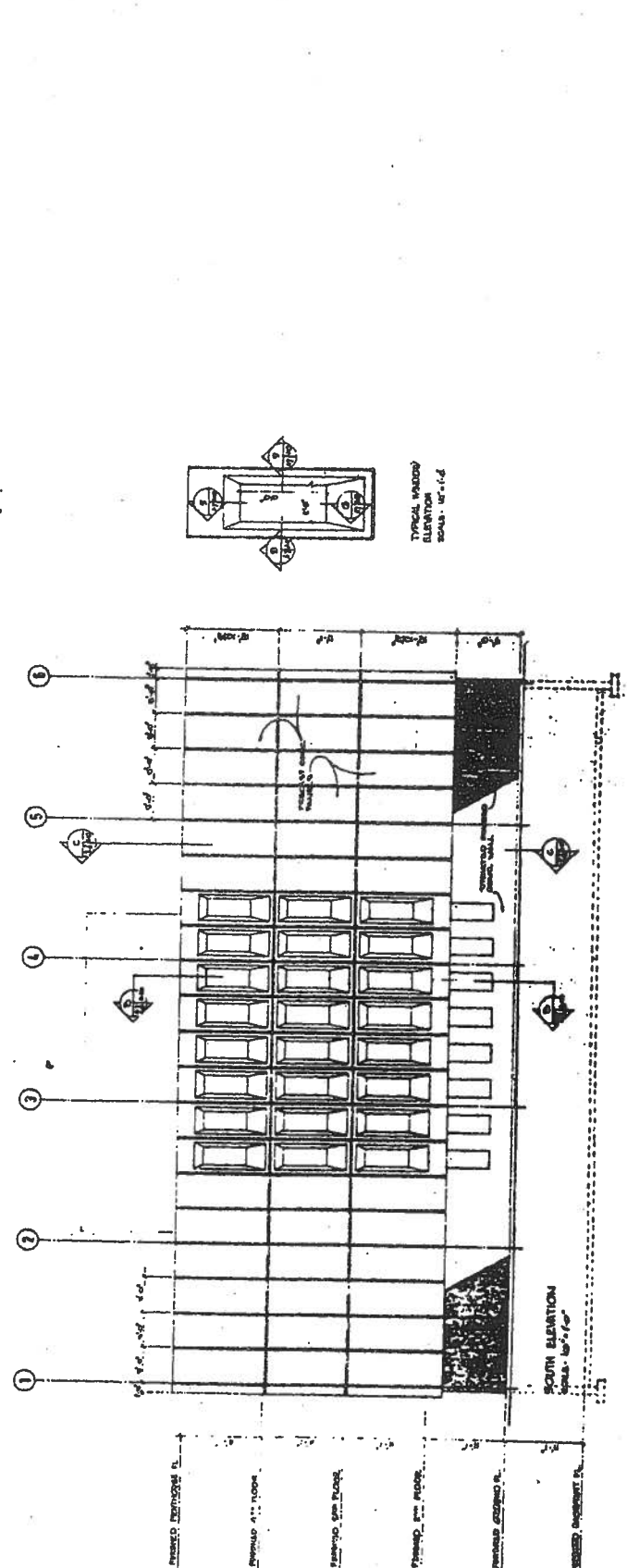
1:7

OFFICE BUILDING FOR
D.R.V. OF ONTARIO
KINGSTON, ONT.

QUALITY ASSURANCE
REGISTERED ARCHITECT
ONTARIO



WEST ELEVATION
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

GENERAL NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES EXISTING ON THE SITE. ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES EXISTING ON THE SITE.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES EXISTING ON THE SITE. ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES EXISTING ON THE SITE.

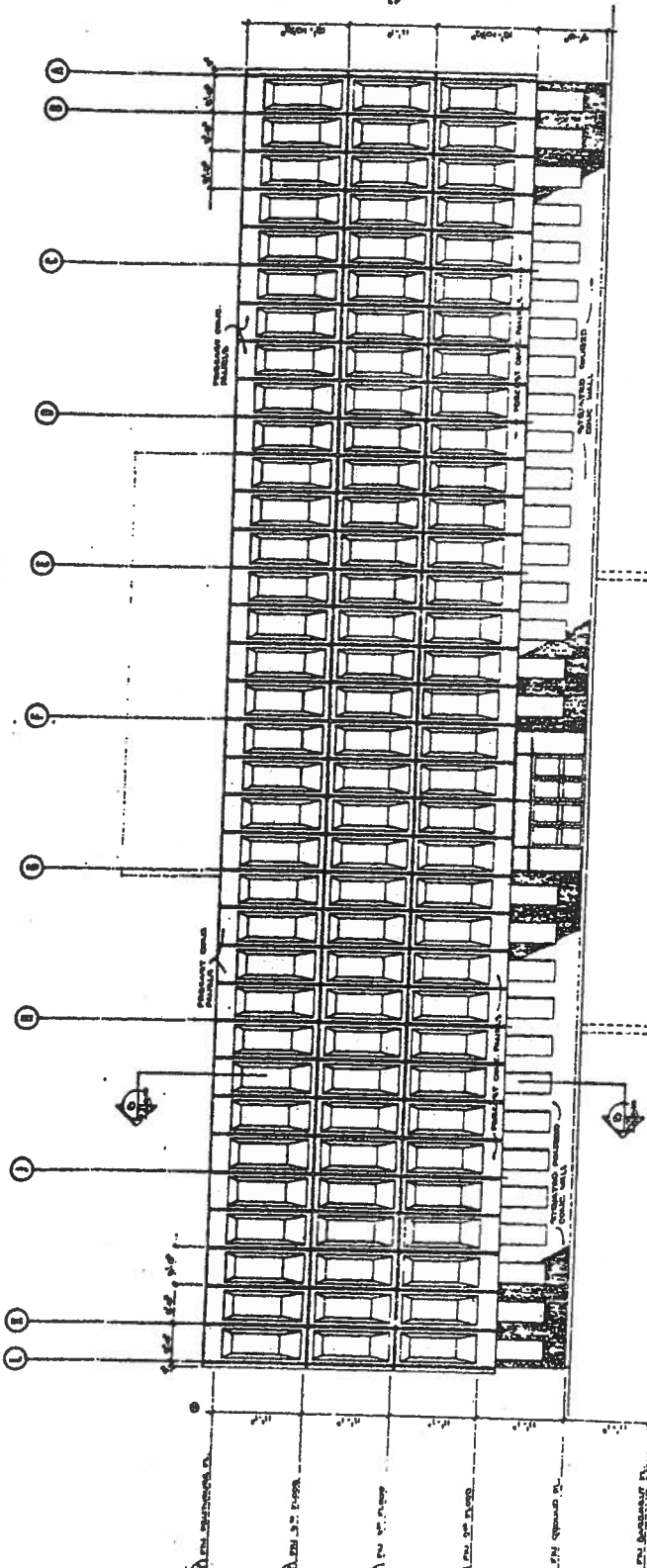
DATE	1971
SCALE	1/4" = 1'-0"
PROJECT	OFFICE BUILDING FOR D.P.V. OF ONTARIO
LOCATION	WINGSTON ONT.
DESIGNER	W. J. B. B. B.
DATE	1971

W. J. B. B. B.

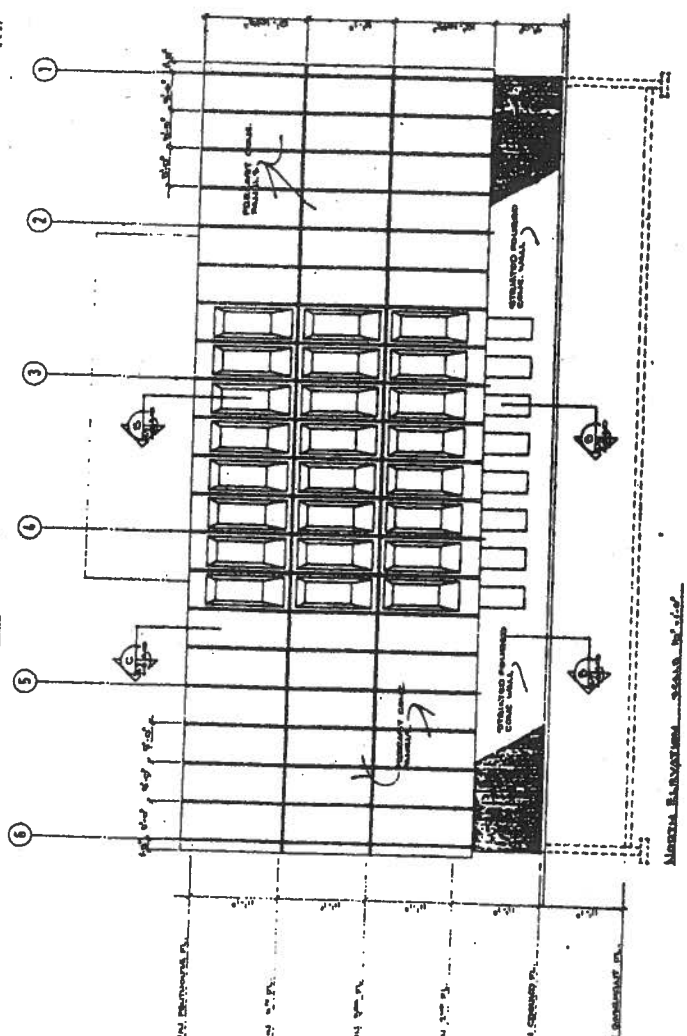
OFFICE BUILDING FOR D.P.V. OF ONTARIO WINGSTON ONT.

1-8

EAST & NORTH ELEVATIONS

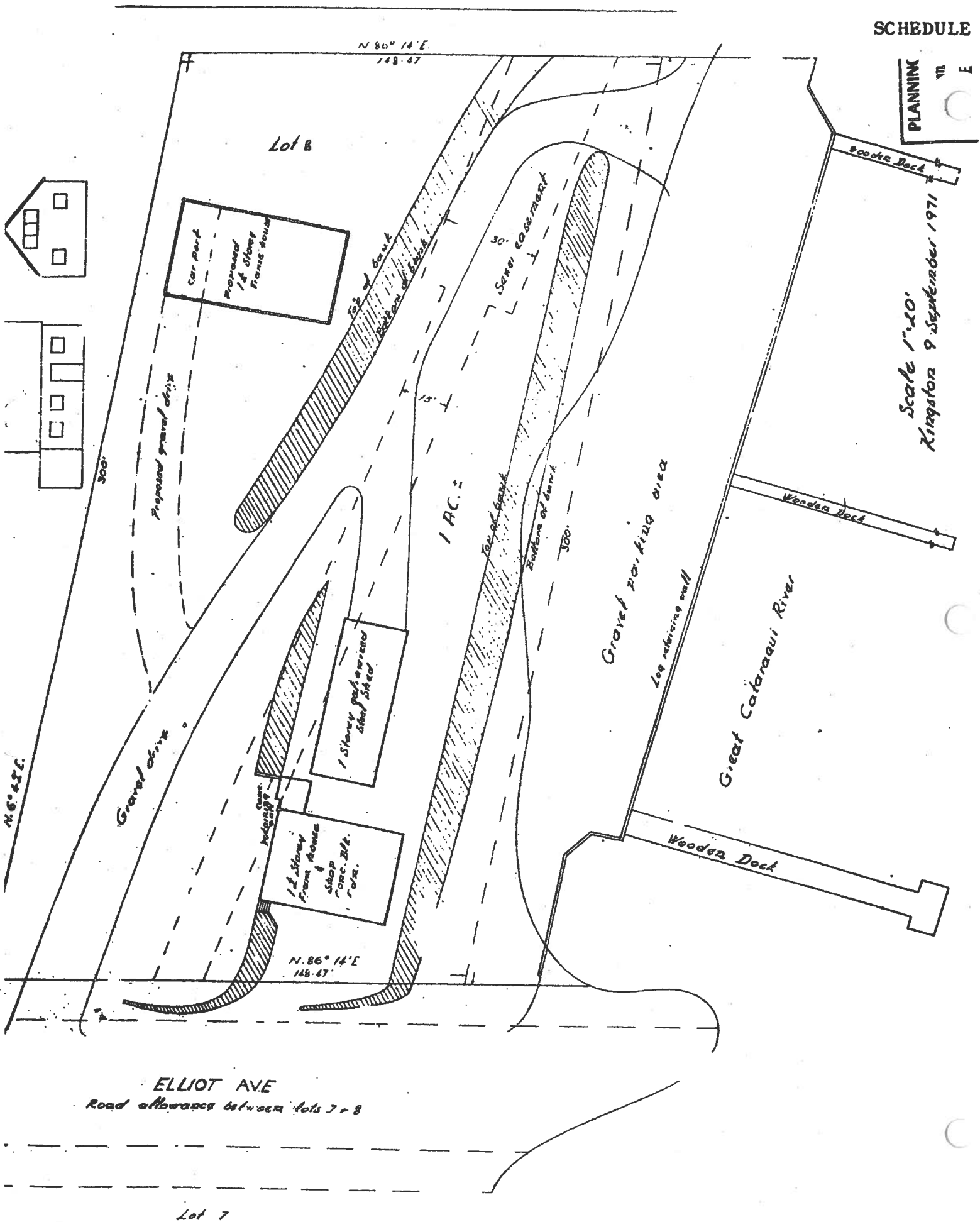


EAST ELEVATION - 3RD FLOOR



NORTH ELEVATION - 3RD FLOOR

PLANNING
VII
E



Scale 1"=20'
Kingston 9 September 1971

ELLIOT AVE
Road allowances between lots 7 & 8

Lot 7

CLERGY

ST.

SCHEDULE 'L'

EARL ST.

WILLIAM ST.

SYDENHAM

ST.

JOHNSON ST.

MONTREAL

BAGOT

ST.

WELLINGTON

WILLIAM

Scale 1 : 2000

100m 80 60 40 20 0 50 100m

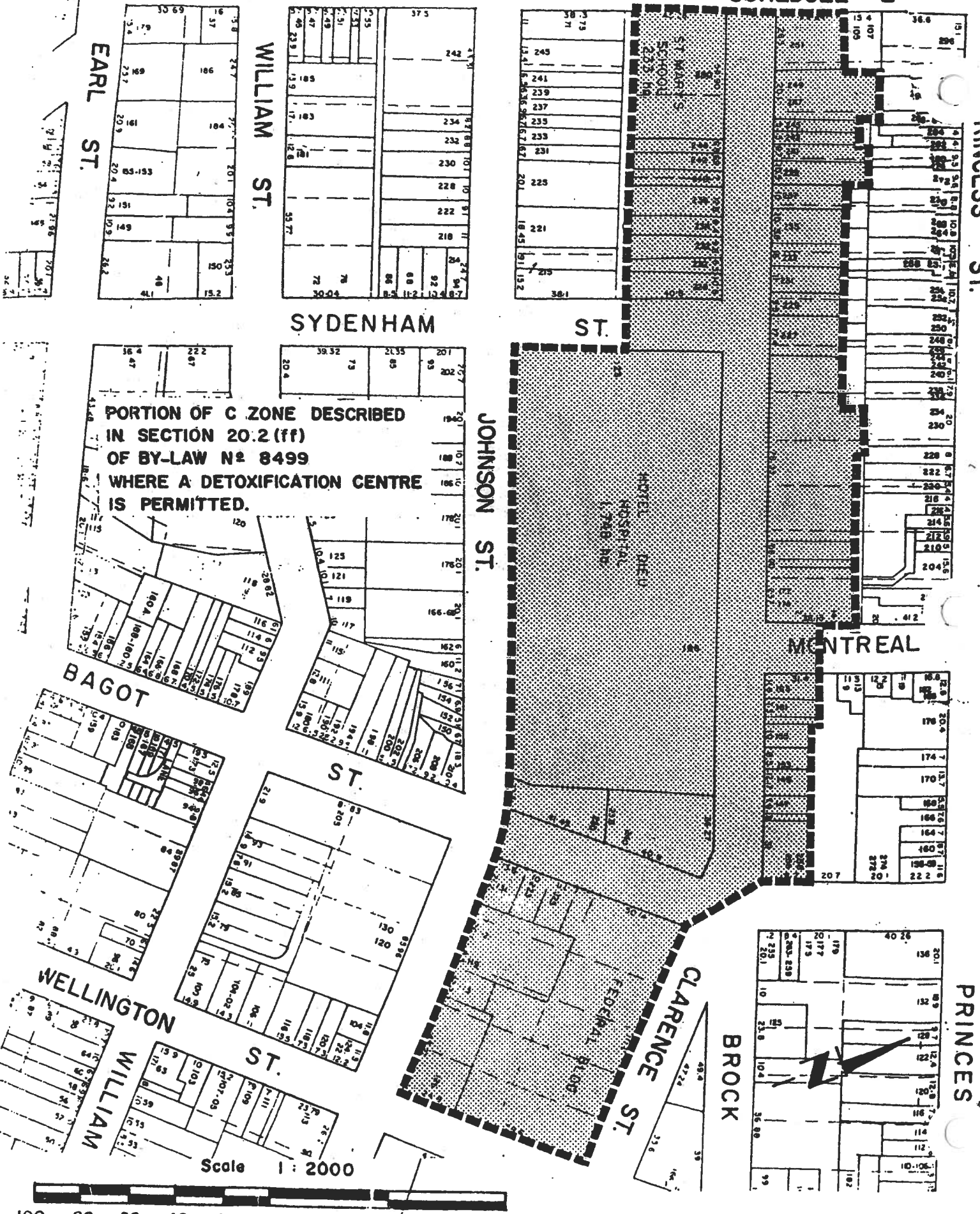
PORTION OF C ZONE DESCRIBED IN SECTION 20.2 (ff) OF BY-LAW N° 8499 WHERE A DETOXIFICATION CENTRE IS PERMITTED.

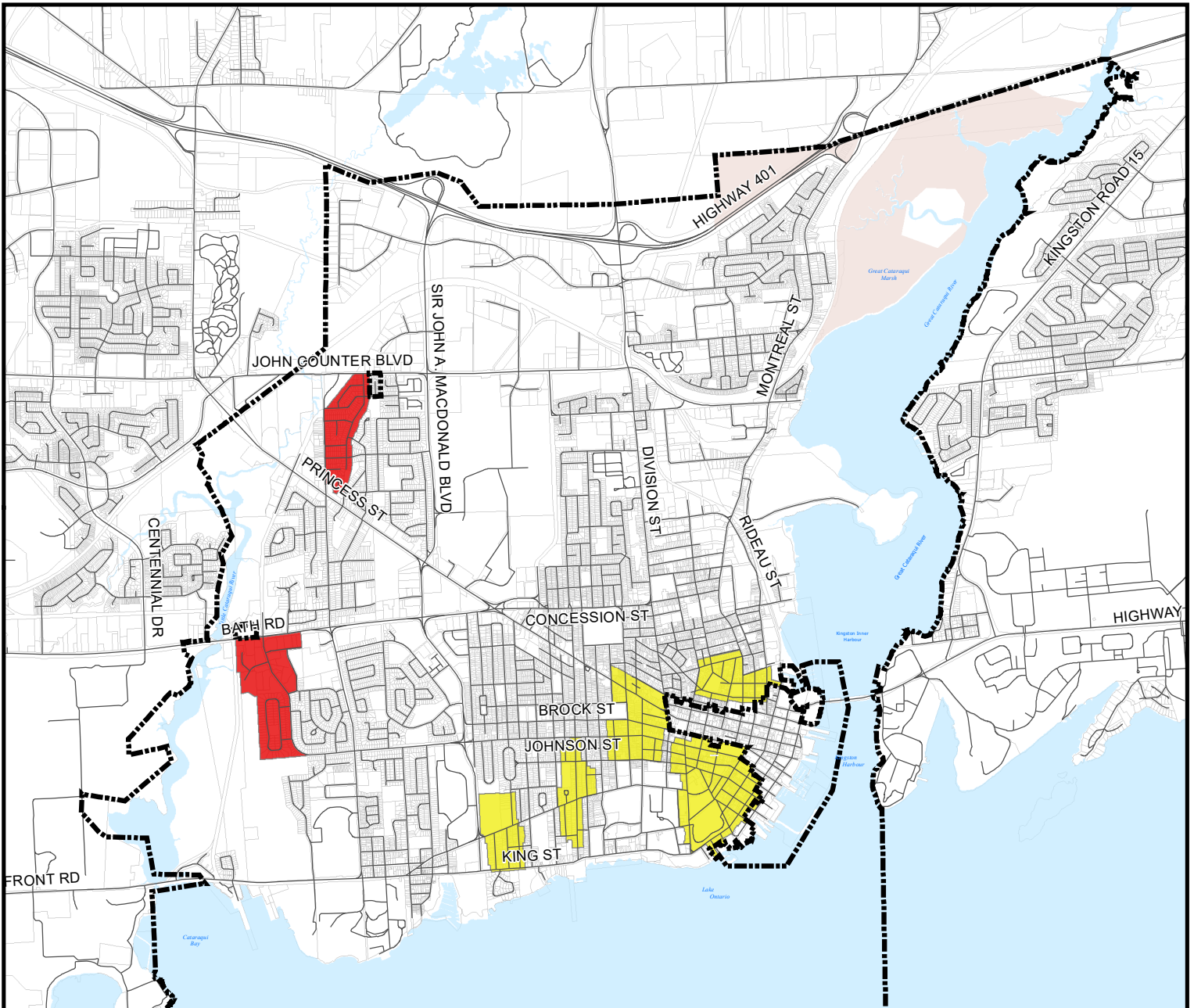
HOTEL DEU HOSPITAL 1788 RD

FEDERAL BLDG

BROCK

PRINCES









**Planning, Building
 & Licensing Services**
 a department of
**Community
 Services**

Project: Second Residential Units
File Number: D35-003-2018
Location: By-Law 8499

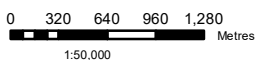
LEGEND

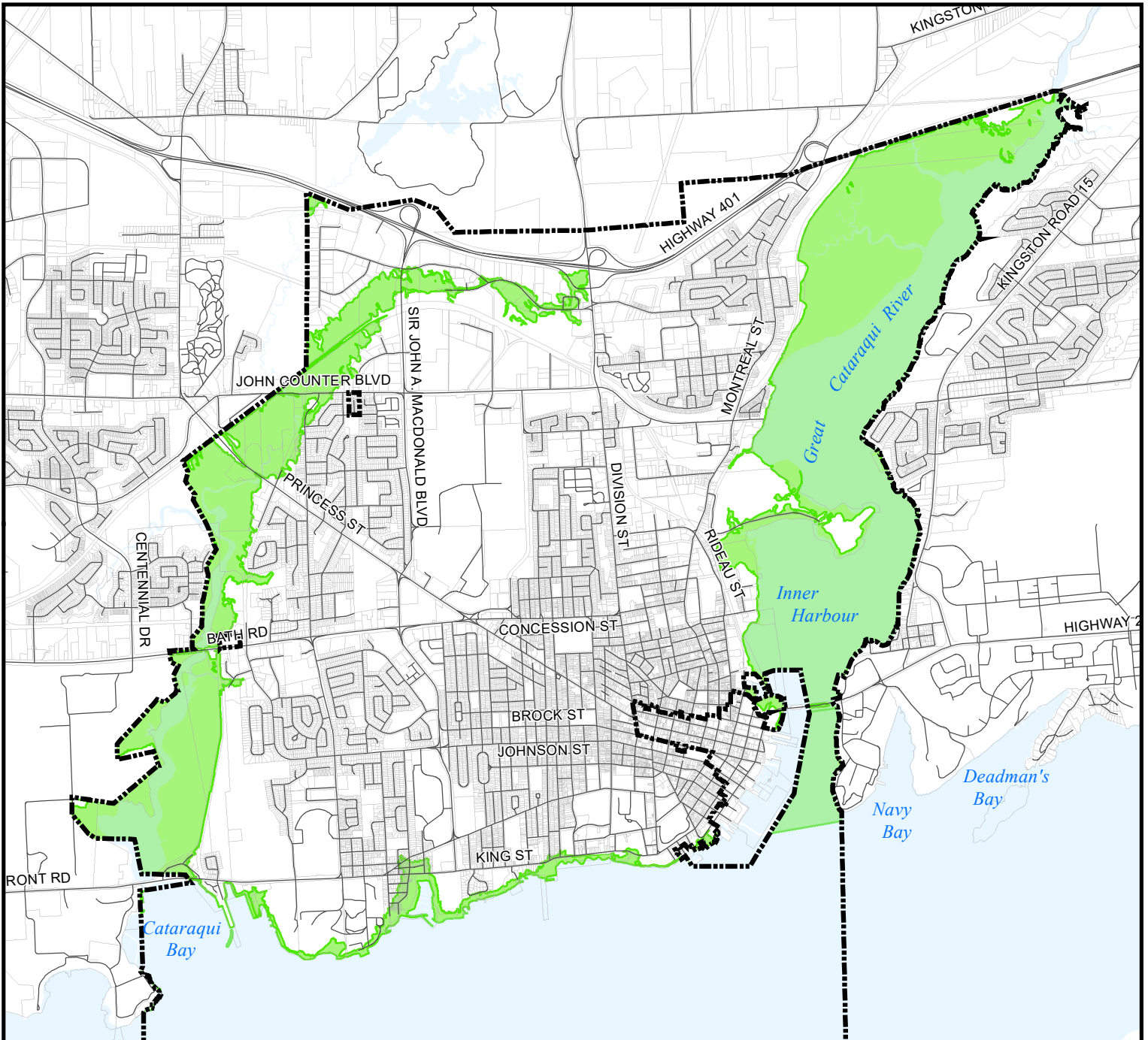
Add Schedule 'M' to By-law 8499, 'Second Residential Units Constraint Overlay' as shown:

-  By-Law 8499 Boundary
- Constraint Area (Subject to Holding Symbol)**
-  Water Supply
- Constraint Area (Not Subject to Holding Symbol)**
-  Sewer Surcharging
-  Sewer Surcharging (Combined Storm and Sewer Systems)

Certificate of Authentication

This is Schedule 'A' to By-Law Number 2019-87, passed this 18th day of June 2019.







Project: Second Residential Units
 File Number: D35-003-2018
 Location: By-Law 8499

LEGEND

Add Schedule 'N' to By-law 8499 'Second Residential Units Natural Hazards Overlay', as shown:

-  By-Law 8499 Boundary
-  Natural Hazards Area

Certificate of Authentication

This is Schedule 'B' to By-Law Number 2019-87, passed this 18th day of June 2019.






LEGEND

 REQUIRED GROUND FLOOR COMMERCIAL ALONG PRINCESS STREET FRONTAGE

BUILDING HEIGHTS

 MAXIMUM HEIGHT THE LESSER OF 20 METRES OR 6 STOREYS

 TOWER PERMITTED - MAXIMUM HEIGHT THE LESSER OF 61.5 METRES OR 20 STOREYS



THE CORPORATION OF THE CITY OF KINGSTON

**SCHEDULE 'O' TO ZONING BY-LAW
NUMBER 8499**

Certificate of Authentication

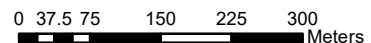
This is Schedule 'I' to By-Law No. 2021-02 passed this 1st day of December 2020

Planning Services

a department of
Community
Services

Project: Williamsville Main Street
File Number: D35-003-2020
Location: By-Law 8499

Prepared by: rejonas
Date: 2021-07-27



1:8,000

