

**BY-LAW NO. 2010-****A BY-LAW TO AMEND THE OFFICIAL PLAN FOR THE CITY OF KINGSTON PLANNING AREA (AMENDMENT NO. 3 – To change the properties known municipally as 1293 Princess Street to 1343 Princess Street inclusive from ‘Arterial Commercial’ to an ‘Arterial Commercial Site Specific Policy Area No. 42’)****PASSED:** , 2010**WHEREAS** a public meeting was held regarding this amendment on June 17, 2010;**NOW THEREFORE** the Council of The Corporation of the City of Kingston, in accordance with the provisions of Section 17 of the Planning Act, R.S.O. 1990, c.P13, hereby enacts as follows:

1. The Official Plan for the City of Kingston is hereby amended by the following map change which shall constitute Amendment No. 3 to the Official Plan for the City of Kingston.

- (a) **AMEND** Schedule ‘3-D, Site Specific Policies’ of the Official Plan for the City of Kingston, so as to designate properties located from 1293 Princess Street to 1343 Princess Street inclusive, as shown on Schedule ‘A’ to By-Law No. 2010-\_\_\_, as ‘Site Specific Policy Area No. 42’.

2. That the Official Plan for the City of Kingston, as amended, be further amended by adding the following new Site Specific Policy as Section 3.18.42:

**“1293 Princess St. to 1343 Princess St. Schedule 3-D, SSP No. 42** 3.18.42 The properties from 1293 Princess Street to 1343 Princess Street inclusive, are within the Arterial Commercial designation as shown on Schedule 3-A. The Plan recognizes that as these properties, shown on Schedule 3-D as SSP No. 42, undergo a transition from low-density residential use to Arterial Commercial uses, the following site specific policies shall guide the development/redevelopment of these lands:

- a. Uses on these properties shall include permitted Arterial Commercial and existing Residential uses and small-scale service oriented office and financial services uses such as real estate, insurance, branch banks, medical and professional uses;
- b. Commercial uses will be limited to those uses which will be compatible with the residential character of the area;
- c. A comprehensive program of land assembly will be encouraged;
- d. Any commercial developments are required to support the residential character of the area in terms of building design, landscaping, rear yard parking, and building location on the lot;
- e. Vehicular access to the area from Alexander Street will be prohibited;
- f. The number of vehicular access points from Princess Street shall be minimized in the context of redevelopment and project design;

- g. Development or redevelopment will require the provision of adequate impact mitigation measures such as the provision of buffers, landscaping, site design, building arrangements and building design to ensure compatibility with any adjacent residential uses. “

3. This By-Law shall come into force and take effect on the day that is the day after the last day for filing an appeal pursuant to the Planning Act, provided that no Notice of Appeal is filed to this By-Law in accordance with the provisions of Section 17, Subsection 24 of the Planning Act, as amended; and where one or more appeals have been filed within the time period specified, at the conclusion of which, the By-Law shall be deemed to have come into force and take effect on the day the appeals are withdrawn or dismissed, as the case may be.

**GIVEN ALL THREE READINGS AND PASSED** August , 2010

**CITY CLERK**

**MAYOR**