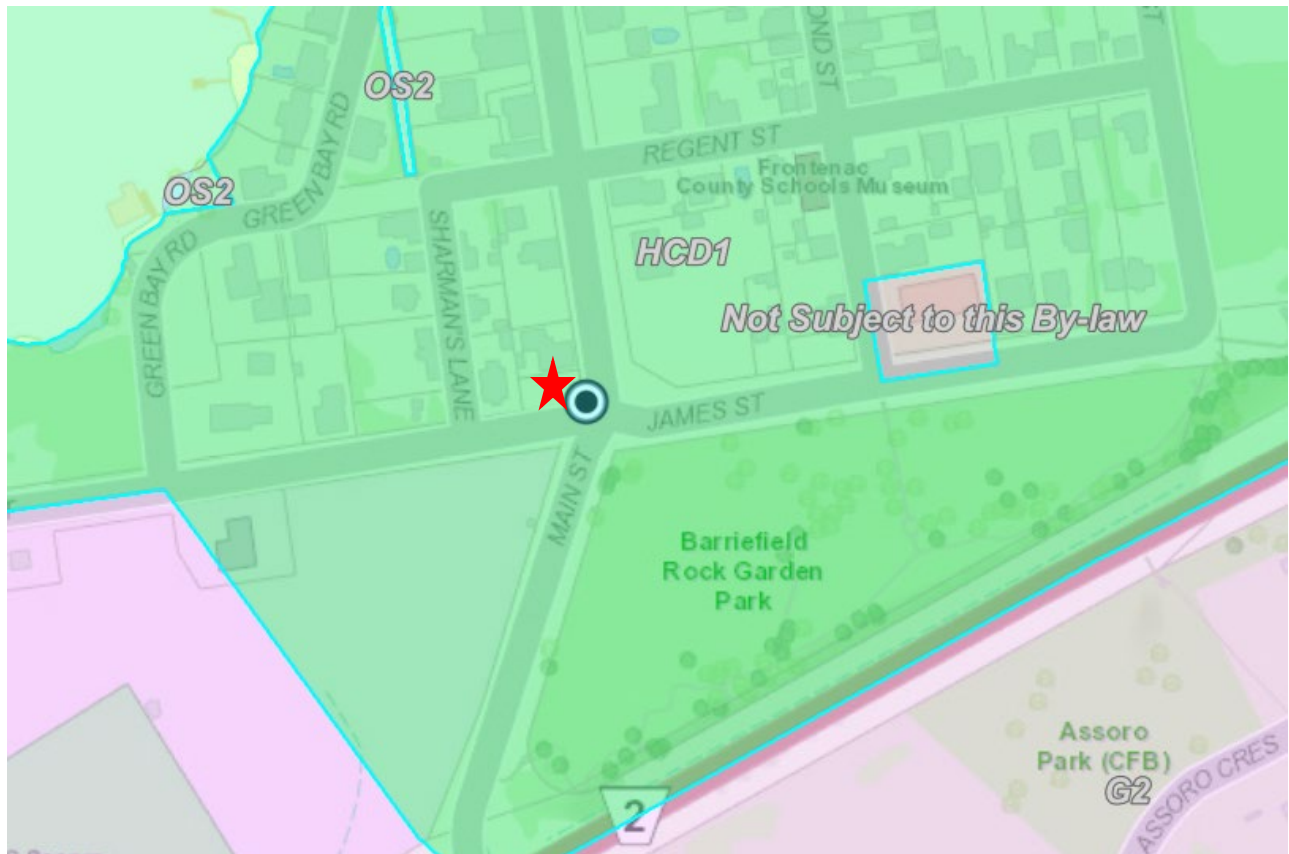


# Zoning Map

236 James St, Kingston



HCD1 – Heritage District 1 (Barriefield)



## **Kingston Zoning By-law Number 2022-62**



**Part 1 of 5: Sections 1 to 19**

## Section 13: Heritage Zones

### 13.1. All Heritage Zones

- 13.1.1.** For the purposes of this By-law, Heritage Zones include Heritage Zone 1 - Village of Barriefield (HCD1), Heritage Zone 2 - Market Square (HCD2), and Heritage Zone 3 – Old Sydenham (HCD3).
- 13.1.2.** **Uses** permitted in Heritage Zones are limited to the **uses** identified in Table 13.1.2., and are denoted by the symbol “●” in the column applicable to each Zone and corresponding with the row for a specific permitted **use**. Where the symbol “—” is identified in the table, the **use** is not permitted in that Zone.
- 13.1.3.** Where a permitted **use** includes a reference number in superscript beside the “●” symbol in Table 13.1.2., the following corresponding provisions apply:
1. Is permitted only as an **accessory use** to a **principal use** on the **lot** and must be located at or above the second **storey**.
  2. No portion of any **lot** within 30 metres of the **street line** of Highway 15 may be **used** for any purpose other than **passive recreation**.

**Table 13.1.2. - Permitted Uses in the Heritage Zones**

| Use                                   | HCD1           | HCD2           | HCD3 |
|---------------------------------------|----------------|----------------|------|
| Residential<br>apartment building     | —              | —              | ●    |
| dwelling unit in a mixed use building | —              | ● <sup>1</sup> | —    |
| semi-detached house                   | ● <sup>2</sup> | —              | ●    |
| house                                 | ● <sup>2</sup> | —              | ●    |
| stacked townhouse                     | —              | —              | —    |
| townhouse                             | ● <sup>2</sup> | —              | ●    |
| Non-residential<br>animal care        | —              | ●              | —    |
| banquet hall                          | —              | ●              | —    |
| building supply store                 | —              | ●              | —    |
| commercial parking lot                | —              | ●              | —    |
| community centre                      | ● <sup>2</sup> | ●              | ●    |

| Use                         | HCD1           | HCD2 | HCD3 |
|-----------------------------|----------------|------|------|
| club                        | —              | ●    | —    |
| creativity centre           | —              | ●    | —    |
| day care centre             | —              | ●    | —    |
| department store            | —              | ●    | —    |
| elementary school           | ● <sup>2</sup> | ●    | ●    |
| entertainment establishment | —              | ●    | —    |
| financial institution       | —              | ●    | —    |
| fitness centre              | —              | ●    | —    |
| grocery store               | —              | ●    | —    |
| hotel                       | —              | ●    | —    |
| laundry store               | —              | ●    | —    |
| library                     | ● <sup>2</sup> | ●    | ●    |
| museum                      | ● <sup>2</sup> | ●    | ●    |
| office                      | —              | ●    | —    |
| personal service shop       | —              | ●    | —    |
| place of worship            | ● <sup>2</sup> | ●    | ●    |
| public market               | —              | ●    | —    |
| recreation facility         | —              | ●    | —    |
| repair shop                 | —              | ●    | —    |
| restaurant                  | —              | ●    | —    |
| retail store                | —              | ●    | —    |
| training facility           | —              | ●    | —    |
| wellness clinic             | —              | ●    | —    |

By-Law Number 2022-62; 2024-332)

## 13.2. Heritage Zone 1 – Village of Barriefield (HCD1)

**13.2.1.** The following definitions apply to **lots** in the HCD1 Zone:

- 1. Heritage Building** means a **building** that existed as of the date of passing of this By-law on a **heritage lot**;
- 2. Heritage Lot** means the following **lots**, as they existed as of the date of passing of this By-law:
  - (a) 6-8, 10, 13, 14 and 16 Drummond Street;
  - (b) 7 and 9 George Street;
  - (c) 218 Green Bay Road;
  - (d) 228, 230, 232, 234, 236, 238, 244, 246 and 248 James Street;
  - (e) 202, 207, 210, 215, 217-219, 223-225, 226-228, 233, 239, 247, 249, 268 and 275 Main Street;
  - (f) 404, 406, 407, 412, 413, 414, 415, 419, 421 and 423 Regent Street;
  - (g) 2 Sharman's Lane; and
  - (h) 404, 406 and 412 Wellington Street; and
- 3. Non-Heritage Lot** means all **lots** in the HCD1 Zone, excluding **heritage lots**.

**13.2.2.** The **use** of any **lot** or **building** in the HCD1 Zone must comply with the provisions of Table 13.2.2.

**Table 13.2.2. – HCD1 Provisions**

| <b>Zoning Provision</b>                       | <b>Heritage Lot</b>                                                   | <b>Non-Heritage Lot</b>                                                                                                                                                          |
|-----------------------------------------------|-----------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Minimum <b>lot area</b><br>(square metres) | <b>Lot area</b> existing as of the date of passing of this By-law     | 370.0                                                                                                                                                                            |
| 2. Minimum <b>lot frontage</b> (metres)       | <b>Lot frontage</b> existing as of the date of passing of this By-law | 12.0                                                                                                                                                                             |
| 3. Maximum <b>height</b><br>(metres)          | <b>Height</b> existing as of the date of passing of this By-law       | (a) Where 2 adjacent <b>lots</b> with a <b>front lot line</b> on the same <b>street</b> are <b>heritage lots</b> : the lesser of 10.0 metres or the average of the <b>height</b> |

| <b>Zoning Provision</b>                          | <b>Heritage Lot</b>                                                       | <b>Non-Heritage Lot</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------------------------------|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                  |                                                                           | of the <b>heritage buildings</b> on the adjacent <b>heritage lots</b><br>(b) For all other <b>lots</b> : 10.0                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 4. Minimum <b>front setback</b> (metres)         | <b>Front setback</b> existing as of the date of passing of this By-law    | (a) Where 2 adjacent <b>buildings</b> have a <b>front lot line</b> on the same <b>street</b> : the lesser of 3.0 metres or the average <b>front setbacks</b> of adjacent <b>buildings</b><br>(b) Where 1 adjacent <b>building</b> has a <b>front lot line</b> on the same <b>street</b> : the lesser of 3.0 metres or the average of 3.0 metres and the <b>front setback</b> of adjacent <b>building</b><br>(c) Where no adjacent <b>buildings</b> have a <b>front lot line</b> on the same <b>street</b> : 3.0 metres<br>(d) Despite (a), (b) and (c), where a <b>building</b> existed as of the date of passing of this By-law and the <b>front setback</b> is less than required, the minimum <b>front setback</b> for the existing <b>building</b> and any further <b>development</b> that enlarges or alters the <b>building</b> is the existing <b>front setback</b> |
| 5. Minimum <b>rear setback</b> (metres)          | <b>Rear setback</b> existing as of the date of passing of this By-law     | 7.0                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 6. Minimum <b>exterior setback</b> (metres)      | <b>Exterior setback</b> existing as of the date of passing of this By-law | 3.0                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 7. Minimum <b>interior setback</b> (metres)      | <b>Interior setback</b> existing as of the date of passing of this By-law | (a) 1.2 metres<br>(b) Despite (a), where a common party wall is located along a <b>lot line</b> : 0 metres                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 8. Minimum aggregate of <b>interior setbacks</b> | Aggregate of <b>interior setbacks</b> that existed as                     | 6.0                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

| Zoning Provision                                                                      | Heritage Lot                                                                   | Non-Heritage Lot |
|---------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|------------------|
|                                                                                       | of the date of passing of this By-law                                          |                  |
| 9. Minimum <b>landscaped open space</b>                                               | <b>Landscaped open space</b> existing as of the date of passing of this By-law | 30%              |
| 10. Maximum <b>lot coverage</b>                                                       | <b>Lot coverage</b> existing as of the date of passing of this By-law          | 25%              |
| 11. Maximum number of <b>principal buildings</b> per lot                              | 1                                                                              | 1                |
| 12. Maximum number of <b>storeys</b>                                                  | Number of <b>storeys</b> existing as of the date of passing of this By-law     | 2                |
| 13. Maximum number of <b>dwelling units</b> per lot including <b>accessory houses</b> | 4.0                                                                            | 4.0              |

(By-Law Number 2022-62; 2024-332; 2024-333)

### Additional Provisions for Lots Zoned HCD1

- 13.2.3.** In addition to the provisions of Table 13.2.2., the **use** of any **lot** or **building** in the HCD1 Zone must comply with the following provisions:
1. The maximum **height** of any **fence** or wall in the **front yard** is 1.0 metre;
  2. Any portion of a **lot** within 30.0 metres of the **street line** of Highway 15 must be maintained as **landscaped open space**;
  3. **Buildings** must be **setback** a minimum of 30.0 metres from the **street line** of Highway 15;
  4. **Parking** is not permitted in the **front yard** of any **lot**; and
  5. The maximum **gross floor area** of a **non-residential building** is 275.0 square metres.

- 13.2.4.** An addition to a **heritage building** or a new **building** on a **heritage lot** must comply with the provisions that apply to a **non-heritage lot**, except the maximum **height** of an addition must not exceed a **height** that is 0.5 metres less than the **height** of the **heritage building**.

(By-Law Number 2022-62; 2024-332)