

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 123-2018

Being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

WHEREAS By-law No. 1-2014 is the Town's Comprehensive Zoning By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Kingsville;

AND WHEREAS the Council of the Corporation of the Town of Kingsville deems it expedient and in the best interest of proper planning to further amend By-law No. 1-2014 as herein provided;

AND WHEREAS there is an Official Plan in effect in the Town of Kingsville and this By-law is deemed to be in conformity with the Town of Kingsville Official Plan;

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. That Subsection 6.4.1 e) RESIDENTIAL ZONE 4 URBAN (R4.1) EXCEPTIONS is amended with the addition of the following new subsection:

6.4.1.5 'RESIDENTIAL ZONE 4 URBAN EXCEPTION 5 (R4.1-5)'

- a) For lands shown as R4.1-5 on Map 66 Schedule "A" of this By-law.
- b) **Permitted Uses**
 - i) One Apartment building;
 - ii) Neighbourhood Commercial excluding a convenience store or commercial plaza
 - iii) Medical clinic & accessory pharmacy
- c) **Permitted Buildings and Structures**
 - i) Those buildings and structures permitted under Section 6.4.1.5 b);
 - ii) Buildings and structures accessory to the R4.1-5 permitted uses.
- d) **Zone Provisions**

All lot and building requirements for the permitted buildings and structures shall be in accordance with Section 6.4.1 c) of this By-law.

Notwithstanding Section 6.4.1 c) of the by-law to the contrary the following shall apply:

- i) Front yard setback for a permitted apartment building shall be 3.9 m, minimum;
- ii) Easterly side yard setback for a permitted apartment building shall be 2.8 m, minimum;
- iii) Maximum number of dwelling units for a permitted apartment building shall be 24;

- iv) Maximum height for a permitted apartment building shall be 11.5 m or three storeys whichever is less.

Notwithstanding item 6.4.1.5 d) iv) an additional storey is permitted for the provision of amenity space for the occupants of the apartment building and shall be limited to a total floor area of not more than 60% of the total building footprint of the first floor.

- 2. Schedule "A", Map 66 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally Part of Lot 1, Concession 1 ED, Parts 1 and 2, RP 12R 14569 and locally known as 140 Main Street East as shown on Schedule 'A' cross-hatched attached hereto from 'Residential Zone 1 Urban - holding R1.1 (h)' to 'Residential Zone 1 Urban Exception 5 (R4.1-5)'.
- 3. This by-law shall come into force and take effect from the date of passing by Council and in accordance with Section 34 of the Planning Act.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
26th DAY OF NOVEMBER, 2018.**

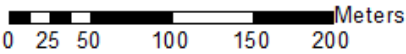
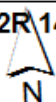
MAYOR, Nelson Santos


CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 1, Concession 1 ED, Parts 1 & 2, RP 12R 14569
140 Main St E.
Zoning By-law Amendment ZBA/25/18



 Schedule "A", Map 66 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 1 Urban - holding R1.1 (h)' to 'Residential Zone 4 Urban Exception 5 (R4.1-5)'