

By-Law Number 2019-XX**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.173 to amended A.173, 330 Division Street)****Passed:** [Meeting Date]

Whereas by Order of the Minister of Municipal Affairs and Housing, The Corporation of the Township of Kingston, The Corporation of the Township of Pittsburgh and The Corporation of the City of Kingston were amalgamated on January 1, 1998 to form The Corporation of the City of Kingston as the successor municipal Corporation and pursuant to the Minister’s Order, any by-laws of the former municipality passed under the *Planning Act* continue as the by-laws covering the area of the former municipality now forming part of the new City; and

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend By-Law Number 8499, as amended, of the former City of Kingston;

Therefore be it resolved that the Council of the Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 8499 of The Corporation of the City of Kingston, entitled “Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston”, as amended, is hereby further amended as follows:
 - 1.1. By **Deleting** Section 173 in Part VIII – Exceptions To Various Zone Classifications in its entirety.
 - 1.2. By **Adding** the following section in Part VIII – Exceptions To Various Zone Classifications as follows:

“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.

2. That this by-law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting Date]

John Bolognone
City Clerk

Bryan Paterson
Mayor