

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 92-2019

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 the application will conform to the Official Plan of the Town of Kingsville upon the coming into effect of proposed Amendment No. 11 to the Official Plan of the Town of Kingsville and final adoption by the County of Essex;

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

1. That Subsection 7.1 e) AGRICULTURE ZONE 1 A1 EXCEPTIONS is amended with the addition of the following new subsection:

7.1.79 'AGRICULTURE ZONE 1 EXCEPTION 79 (A1-79)'

- a) For lands shown as A1-79 on Map 23 Schedule "A" of this By-law.
- b) **Permitted Uses**
 - i) Those uses permitted under Section 7.1;
 - ii) A cannabis production facility (CPF)
- c) **Permitted Buildings and Structures**
 - i) Those buildings and structures permitted under Section 7.1 in the (A1) zone;
 - ii) Buildings and structures accessory to the permitted uses.
- d) **Zone Provisions**

All lot and building requirements for the permitted buildings and structures shall be in accordance with Section 7.1 of this By-law.

Notwithstanding any other provision of By-law 1-2014, as amended, to the contrary, for lands zoned A1-79 a cannabis production facility shall require the installation and maintenance of an Air Treatment Control (ATC) system designed by a qualified person. Prior to the beginning of any growing operations of the licensed CPF the owner/operator must demonstrate to the satisfaction of the Town, including the submission of a maintenance schedule that the ATC is installed and operational as per the design specifications to maintain no perceptible cannabis odour or transmission of odour control agents beyond the property line.

Odour control agents used as part of an Air Treatment Control system must be approved for use by Health Canada or demonstrate no negative impact to the satisfaction of the Town.

Notwithstanding Section 4.46 of the by-law to the contrary the

following shall apply:

- i) Item c) is deleted and replaced as follows: An existing residential use accessory to or supportive of the agricultural uses on-site, including a CPF, is permitted
- ii) Items d), e) and i) are not applicable to lands zoned A1-79;
- iii) Item g) is deleted and replaced as follows:
 - a. item g) shall not be applicable to an on-site bunkhouse.

All other items listed under Section 4.46 remain applicable to lands zoned A1-79.

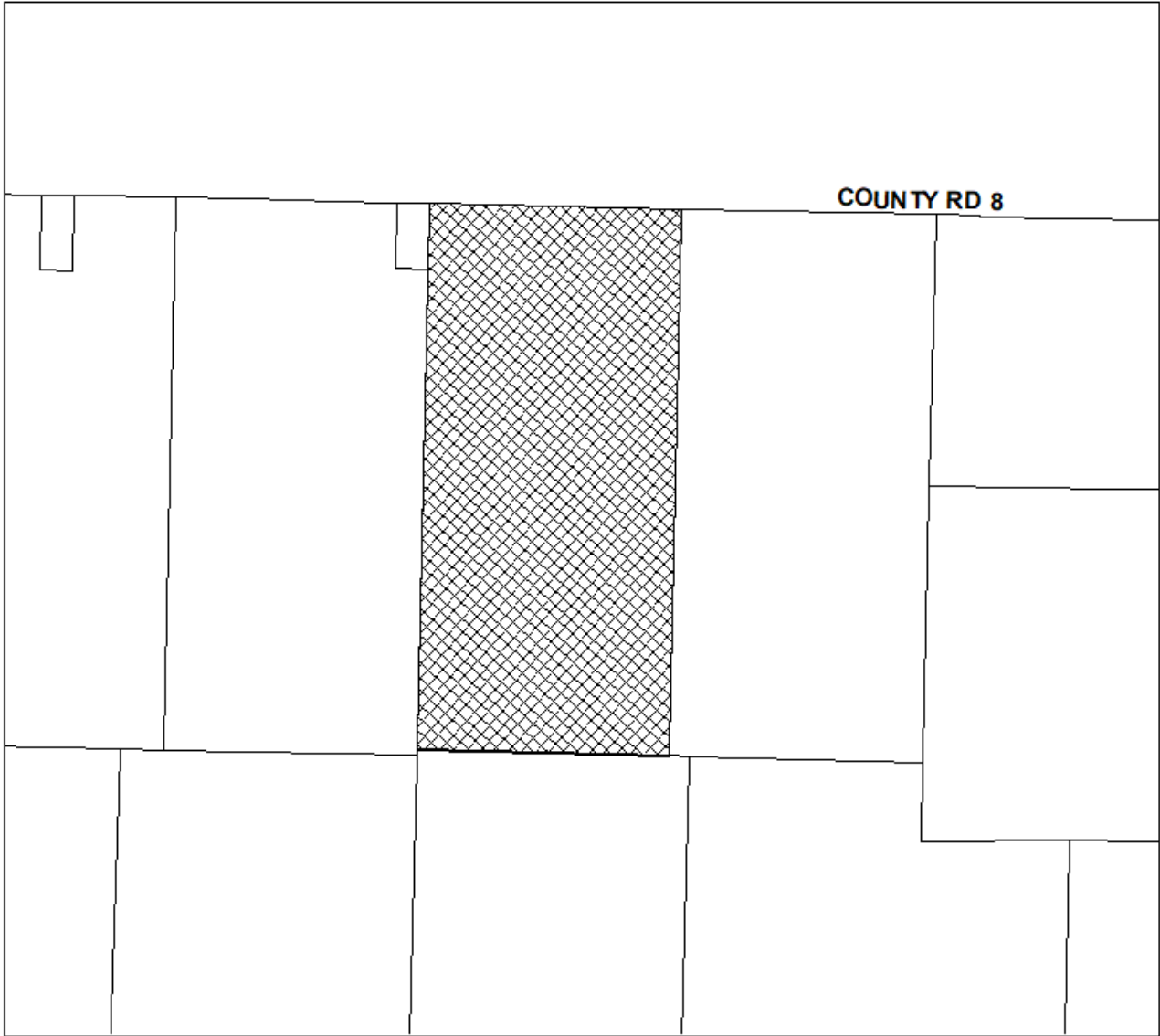
- 2. Schedule "A", Map 23 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 11, Concession 11, and locally known as County Road 8 as shown on Schedule 'A' cross-hatched attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 79 (A1-79)'.
- 3. This by-law shall come into force upon third reading and being finally passed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 15th DAY OF OCTOBER, 2019.


MAYOR, Nelson Santos

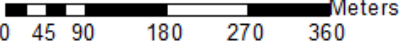
CLERK, Jennifer Astrologo


Schedule 'A'



Part of Lot 11 Concession 11
318 County Road 8
Zoning By-law Amendment ZBA/14/19





 Schedule "A", Map 23 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture Zone 1 (A1)' to 'Agriculture Zone 1 Exception 79 (A1-79)'