

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 00-2020

Being a by-law to establish Interim Control on certain land uses within The Corporation of the Town of Kingsville

WHEREAS Council has directed, by resolution, a land use planning review be undertaken with respect to development of lands fronting on Main Street East or Main Street West from Heritage Road to Kratz Road;

AND WHEREAS it is deemed desirable and expedient to enact interim controls concerning rezoning of lands on Main Street within the defined area until the review has been completed and considered by Council;

AND WHEREAS Section 38(1) of the Planning Act, R.S.O. 1990, c.P.13, as amended, authority is granted to Council of local municipalities to enact interim controls where a review or study has been directed.

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

Definitions

1. In this by-law shall
 1. "Existing" means a use, building or other structure both lawfully existing on the date of the passing of this by-law.
 2. "Lot Frontage" means the dimension of a lot or portion of a lot abutting on a street, except the side of a corner lot. Lot frontage means the length of the front lot line measured at the street right-of-way.
 3. "Study Area" means lands with lot frontage on Main Street East or Main Street West and located east of Heritage Road and west of Kratz Road or as more specifically outlined in Schedule 'A' of this by-law.
 4. "Town" means The Corporation of the Town of Kingsville
 5. "Zoning By-law" means a by-law passed under Section 34 of the Planning Act, R.S.O. 1990, c.P.13 and in force.

General

2. This by-law applies to all lands with frontage on Main Street East and Main Street West located east of Heritage Road and west of Kratz Road or as more specifically outlined in Schedule "A".
3. Despite the provisions of any zoning by-law or any other by-law of the Town to the contrary, within the study area, all buildings and structures shall be limited to those existing on the date of passing of this by-law during the term of this by-law, except as follows:
4. Section 3 shall not apply to prevent:
 - i. the construction of new buildings or structures permitted by the existing zoning;
 - ii. the construction of a permitted commercial use which does not increase the building foot print or total square footage by more than 20%;
 - iii. Council grants a site-specific exemption from this by-law through application to Council, and
 - iv. the consideration of any Planning Act application filed prior to February 24, 2020.

Administration

5. If any section, clause or provision of this by-law is for any reason declared by a court or competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof other than the section, clause or provision so declared to be invalid and all the remaining sections , clauses or provisions of this By-law shall remain in full force and effect for the term of this by-law, notwithstanding that one or more provision or parts thereof shall have been declared invalid.

Schedule

6. Schedule 'A' attached hereto forms part of this By-law.

Effective Date

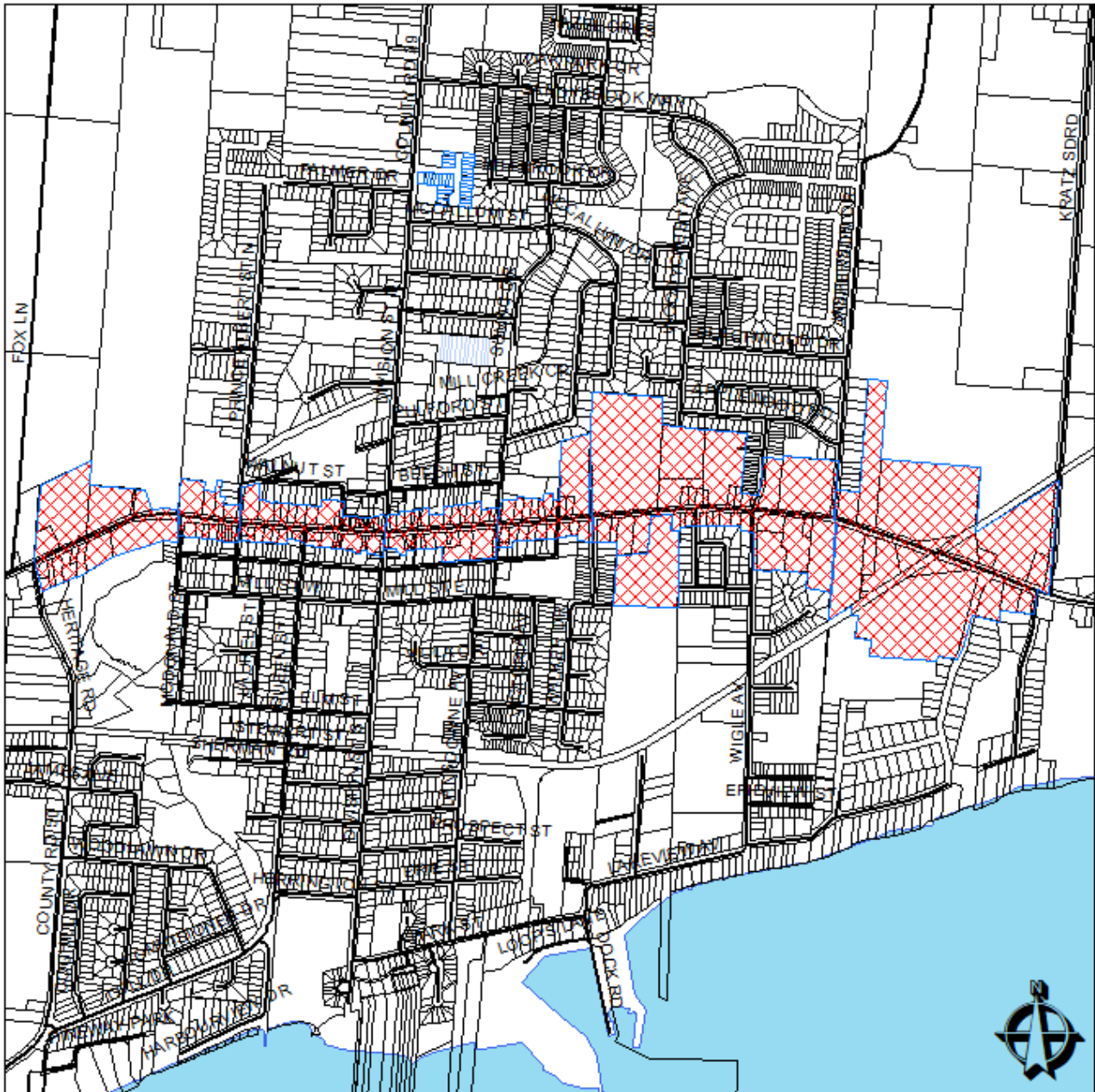
7. This by-law shall come into force and take effect on the day it is finally passed and shall remain in effect until the ____ day of _____, 2021.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
____ DAY OF _____, 2020.**

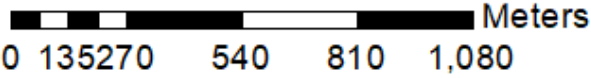
MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule A



Main St. East & West Policy Review
Study Area



Interim Control By-law Area